

DEPARTMENT OF EDUCATION

[Docket ID ED–2019–OPEPD–0120]

Administrative Priorities for Discretionary Grant Programs

AGENCY: Office of Planning, Evaluation, and Policy Development, Department of Education.

ACTION: Final priorities.

SUMMARY: The Secretary of Education announces six priorities for discretionary grant programs that the Secretary may use in fiscal year (FY) 2020 and later years that expand the Department of Education's (the Department's) flexibility to give priority to a broader range of applicants with varying experience in administering Federal education funds (Priorities 1 and 2), applicants proposing to serve rural communities (Priorities 3 and 4), applicants that demonstrate a rationale for their proposed projects (Priority 5), or applicants proposing to collect data after the grant's original project period (Priority 6).

DATES: These priorities are effective April 8, 2020.

FOR FURTHER INFORMATION CONTACT: Kelly Terpak, U.S. Department of Education, 400 Maryland Avenue SW, Room 4W312, Washington, DC 20202. Telephone: (202) 205–5231. Email: kelly.terpak@ed.gov.

SUPPLEMENTARY INFORMATION:

Program Authority: 20 U.S.C. 1221e–3.

We published a notice of proposed priorities in the **Federal Register** on November 29, 2019 (84 FR 65734). That notice contained background information and our reasons for proposing the particular administrative priorities.

We have made minor revisions to Priorities 1, 2, and 6, which we fully explain in the *Analysis of Comments and Changes* section of this document.

Public Comment: In response to our invitation in the notice of proposed priorities, 11 parties submitted comments, which, in total, addressed all six of the proposed priorities.

We group major issues according to subject.

Analysis of Comments and Changes: An analysis of the comments and of any changes in the priorities since publication of the notice of proposed priorities follows.

Comments: A few commenters questioned the impact of the Department's grant programs, recommended not making any changes, and wanted to ensure all funds go to public schools.

Discussion: We administer grant programs authorized and funded by Congress, and program statutes define which entities are eligible to apply. We intend to use these priorities to even the playing field for entities that are eligible for grants, but may lack experience or resources relative to more seasoned applicants. Additionally, Priorities 5 and 6 are designed to ensure we award projects that are based on a logic model and research and are better supported to collect longitudinal data. We believe both priorities will help us to measure and improve the impact our grants have on student outcomes.

Changes: None.

Comments: Multiple commenters expressed concern with Priorities 1 through 4, specifically Priorities 1 and 3, which prioritize a wider variety of applicants that commenters stated could lack prior experience or capacity to administer Federal grants. These commenters stated that the use of these priorities does not necessarily inform the applicant's ability to propose innovative projects.

Discussion: We appreciate commenters' concerns about applicant capacity and the importance of experience and demonstrated results. The Department agrees that organizational capacity is critical to a successful grant and provides regular technical assistance to grantees to ensure proper internal controls and compliance with Federal grant policies and procedures. In addition, before awarding grants, we conduct a review of the risks posed by applicants, including risks related to financial and management systems. However, we do not believe that only organizations that have previously or recently had Federal grants or that are experienced in grant writing can effectively manage awards and, as such, seek to expand the applicant and grantee pool in order to stimulate innovation in education across the country. The intent of these priorities is to prioritize grant awards in areas of the country and with grantees not previously served under Department grants. In programs where we would propose to use any of Priorities 1–4, we would carefully consider what resources and assistance we could provide to applicants and grantees to ensure strong applications and grant performance.

Changes: None.

Comments: Multiple commenters highlighted issues in prioritizing new potential grantees in programs where there is statutory language that prioritizes prior experience or specific statutory requirements on how funding decisions are made.

Discussion: The Department carefully considers which priorities to include in a grant competition, taking into consideration the purpose of the program and applicable statutory requirements. We only intend to use these priorities in programs where doing so is consistent with the program's authorizing statute.

Changes: None.

Comments: None.

Discussion: The Department wishes to clarify that, for Priorities 1 and 2, the phrase “under the program” is intended to mean the program's specific Catalog of Federal Domestic Assistance (CFDA) number and alpha. In situations where programs are newly authorized or reauthorized, the Department will consider on a case-by-case basis whether previous renditions of a grant program are considered to be “under the program.” The Department may consider several factors, including: (a) Whether the notice inviting applications for the program included a waiver of rulemaking in a previous competition under section 437(d)(1) of the General Education Provisions Act for a first grant competition under a new or substantially revised program authority, (b) the extent of programmatic changes when reauthorized, or (c) whether the program is newly authorized in statute. For these situations, the Department will identify “the program” in the competition's notice inviting applications for the purposes of Priorities 1 and 2.

Changes: None.

Comments: A few commenters expressed concerns with prioritizing grants that would serve rural communities, noting that these projects may be more likely to serve a small number of students or have a limited scope, and have other funding mechanisms available to rural communities.

Discussion: We recognize the concern that, under Priority 3—Rural Applicants, applicants may propose projects that serve a smaller number of students than urban applicants; however, we believe that rural applicants may often lack resources more widely available to urban applicants to submit higher-quality applications and want to ensure an equal playing field for rural applicants whenever possible. We also recognize that while rural communities may receive other funding from the Department, such as through formula funds, non-rural communities also receive formula funds, and thus, these funds should not limit a community from applying for discretionary funds. Unless a program has specific statutory

or regulatory requirements for the size and scope of a grant project, we do not believe that applicants should be penalized for proposing a project on a smaller scale. Moreover, we would carefully consider a program's purpose and design when determining when to use the Rural Applicant priority.

Changes: None.

Comments: Multiple commenters expressed support for Priorities 5 and 6 and the use of evidence and data to inform grantmaking, encouraging the Department to use these priorities where possible, including using Priority 5 as an absolute priority.

Discussion: We appreciate the comments in support of Priorities 5 and 6. The Department will carefully consider whether and how to include one or both these priorities in a competition, and whether to use these priorities as absolute, competitive preference, or invitational priorities, based on the program's purpose and design.

Changes: None.

Comments: None.

Discussion: As proposed, under paragraphs (iii), (iv), and (v) of Priority 1, programs would have had the discretion to establish the number of years that would have had to elapse since an applicant has had an active discretionary grant under that program, or an active discretionary grant or a contract from the Department, in order to qualify as a new potential grantee under those paragraphs of Priority 1. We proposed a similar formulation for qualifying as an applicant that is not a new potential grantee under Priority 2. Upon further review, rather than allowing a program broad discretion in establishing the number of years, we are revising paragraphs (iii), (iv), and (v) to provide a list of years—ranging from one year to seven—from which a program can choose. We believe these changes will more clearly convey the reasonable range of options that we intended in allowing programs the flexibility to determine what number of years, for a particular program, would result in giving priority to a broader range of applicants with varying experience in administering Federal education funds. We are establishing seven years as the outer bound because that period of time is sufficient to meet the goal of the priority—engaging a broader range of entities as grantees—without making it difficult for the Department to promptly and reliably ascertain whether a particular entity meets the priority's requirements.

Changes: We have added a list of years under paragraphs (iii), (iv), and (v) in Priorities 1 and 2.

Comments: None.

Discussion: In Priority 4, we are clarifying, in paragraph (d), that the applicant does not propose to serve a campus with a rural setting.

Changes: We have modified paragraph (d) in Priority 4 to say “does not.”

Comments: None.

Discussion: Upon further review, we are revising the title of Priority 5 to remove the reference to a logic model, in order to align the title with the defined term “demonstrates a rationale” in 34 CFR 77.1.

Changes: We have removed the reference to the “logic model” in the priority title for Priority 5.

Comments: None.

Discussion: Upon further review, we are revising Priority 6 to more clearly align with 34 CFR 75.250(b) and to clarify what information an applicant would need to provide in addressing this priority.

Changes: We have revised the priority to specifically reference 34 CFR 75.205(b), request a budget as well as a data collection period, and specify a maximum length of up to 72 months.

Final Priorities

Priority 1—Applications From New Potential Grantees

(a) Under this priority, an applicant must demonstrate one or more of the following:

(i) The applicant has never received a grant, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129, under the program from which it seeks funds.

(ii) The applicant does not, as of the deadline date for submission of applications, have an active grant, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129, under the program from which it seeks funds.

(iii) The applicant has not had an active discretionary grant under the program from which it seeks funds, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129, in one of the following number of years before the deadline date for submission of applications under the program:

- (1) One year;
- (2) Two years;
- (3) Three years;
- (4) Four years;
- (5) Five years;
- (6) Six years; or
- (7) Seven years.

(iv) The applicant has not had an active discretionary grant from the

Department, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129, in one of the following number of years before the deadline date for submission of applications under the program:

- (1) One year;
- (2) Two years;
- (3) Three years;
- (4) Four years;
- (5) Five years;
- (6) Six years; or
- (7) Seven years.

(v) The applicant has not had an active contract from the Department in one of the following number of years before the deadline date for submission of applications under the program:

- (1) One year;
- (2) Two years;
- (3) Three years;
- (4) Four years;
- (5) Five years;
- (6) Six years; or
- (7) Seven years.

(b) For the purpose of this priority, a grant or contract is active until the end of the grant's or contract's project or funding period, including any extensions of those periods that extend the grantee's or contractor's authority to obligate funds.

Priority 2—Applications From Grantees That Are Not New Potential Grantees

(a) Under this priority, an applicant must demonstrate one or more of the following:

(i) The applicant has received a grant, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129, under the program from which it seeks funds.

(ii) The applicant has, as of the deadline date for submission of applications, an active grant, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129, under the program from which it seeks funds.

(iii) The applicant has had an active discretionary grant under the program from which it seeks funds, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129, in one of the following number of years before the deadline date for submission of applications under the program:

- (1) One year;
- (2) Two years;
- (3) Three years;
- (4) Four years;
- (5) Five years;
- (6) Six years; or
- (7) Seven years.

(iv) The applicant has had an active discretionary grant from the

Department, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129, in one of the following number of years before the deadline date for submission of applications under the program:

- (1) One year;
- (2) Two years;
- (3) Three years;
- (4) Four years;
- (5) Five years;
- (6) Six years; or
- (7) Seven years.

(v) The applicant has had an active contract from the Department in one of the following number of years before the deadline date for submission of applications under the program:

- (1) One year;
- (2) Two years;
- (3) Three years;
- (4) Four years;
- (5) Five years;
- (6) Six years; or
- (7) Seven years.

(b) For the purpose of this priority, a grant or contract is active until the end of the grant's or contract's project or funding period, including any extensions of those periods that extend the grantee's or contractor's authority to obligate funds.

(c) This priority can only be used in competitions where the priority for *Applications from New Potential Grantees* is used.

Priority 3—Rural Applicants

Under this priority, an applicant must demonstrate one or more of the following:

(a) The applicant proposes to serve a local educational agency (LEA) that is eligible under the Small Rural School Achievement (SRSA) program or the Rural and Low-Income School (RLIS) program authorized under Title V, Part B of the Elementary and Secondary Education Act of 1965, as amended.

(b) The applicant proposes to serve a community that is served by one or more LEAs—

(i) With a locale code of 32, 33, 41, 42, or 43; or

(ii) With a locale code of 41, 42, or 43.

(c) The applicant proposes a project in which a majority of the schools served—

(i) Have a locale code of 32, 33, 41, 42, or 43; or

(ii) Have a locale code of 41, 42, or 43.

(d) The applicant is an institution of higher education (IHE) with a rural campus setting, or the applicant proposes to serve a campus with a rural setting. Rural settings include any of the following: Town-Fringe, Town-Distant, Town-Remote, Rural Fringe, Rural-Distant, Rural-Remote, as defined by the

National Center for Education Statistics (NCES) College Navigator search tool.

Note: To determine whether a particular LEA is eligible for SRSA or RLIS, refer to the Department's website at <https://oese.ed.gov/offices/office-of-formula-grants/rural-insular-native-achievement-programs/rural-education-achievement-program/>. Applicants are encouraged to retrieve locale codes from the NCES School District search tool (<https://nces.ed.gov/ccd/districtsearch/>), where LEAs can be looked up individually to retrieve locale codes, and Public School search tool (<https://nces.ed.gov/ccd/schoolsearch/>), where individual schools can be looked up to retrieve locale codes. Applicants are encouraged to retrieve campus settings from the NCES College Navigator search tool (<https://nces.ed.gov/collegenavigator/>) where IHEs can be looked up individually to determine the campus setting.

Priority 4—Non-Rural Applicants

Under this priority, an applicant must demonstrate one or more of the following:

(a) The applicant does not propose to serve a local educational agency (LEA) that is eligible under the Small Rural School Achievement (SRSA) program or the Rural and Low-Income School (RLIS) program authorized under Title V, Part B of the Elementary and Secondary Education Act of 1965, as amended.

(b) The applicant does not propose to serve a community that is served by one or more LEAs—

(i) With a locale code of 32, 33, 41, 42, or 43; or

(ii) With a locale code of 41, 42, or 43.

(c) The applicant does not propose a project in which a majority of the schools served—

(i) Have a locale code of 32, 33, 41, 42, or 43; or

(ii) Have a locale code of 41, 42, or 43.

(d) The applicant is not an institution of higher education (IHE) with a rural campus setting, or the applicant does not propose to serve a campus with a rural setting. Rural settings include any of the following: Town-Fringe, Town-Distant, Town-Remote, Rural Fringe, Rural-Distant, Rural-Remote, as defined by the National Center for Education Statistics (NCES) College Navigator search tool.

(e) This priority can only be used in competitions where the priority for *Rural Applicants* is used.

Note: To determine whether a particular LEA is eligible for SRSA or RLIS, refer to the Department's website at <https://oese.ed.gov/offices/office-of-formula-grants/rural-insular-native-achievement-programs/rural-education-achievement-program/>. Applicants are encouraged to retrieve locale codes from the NCES School District search tool (<https://nces.ed.gov/ccd/districtsearch/>), where LEAs

can be looked up individually to retrieve locale codes, and Public School search tool (<https://nces.ed.gov/ccd/schoolsearch/>), where individual schools can be looked up to retrieve locale codes. Applicants are encouraged to retrieve campus settings from the NCES College Navigator search tool (<https://nces.ed.gov/collegenavigator/>) where IHEs can be looked up individually to determine the campus setting.

Priority 5—Applications That Demonstrate a Rationale

Under this priority, an applicant proposes a project that demonstrates a rationale (as defined in 34 CFR 77.1).

Priority 6—Data Collection

Under this priority and consistent with 34 CFR 75.250(b), an applicant includes a budget for and description of a data collection period for a period of up to 72 months, as specified in the notice inviting applications, after the end of the project period.

Types of Priorities

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This notice does *not* solicit applications. In any year in which we choose to use one or more of these priorities, we invite applications through a notice in the **Federal Register**.

Executive Orders 12866, 13563, and 13771

Regulatory Impact Analysis

Under Executive Order 12866, it must be determined whether this regulatory action is “significant” and, therefore, subject to the requirements of the Executive order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a “significant regulatory action” as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities in a material way (also referred to as an “economically significant” rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles stated in the Executive order.

This final regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

Under Executive Order 13771, for each new rule that the Department proposes for notice and comment or otherwise promulgates that is a significant regulatory action under Executive Order 12866, and that imposes total costs greater than zero, it must identify two deregulatory actions. For FY 2020, any new incremental costs associated with a new regulation must be fully offset by the elimination of existing costs through deregulatory actions. Because this regulatory action is not a significant regulatory action, the requirements of Executive Order 13771 do not apply.

We have also reviewed this final regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing these final priorities only on a reasoned determination that their benefits justify their costs. In choosing among alternative regulatory approaches, we selected those approaches that maximize net benefits. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action does not unduly interfere with State, local, and Tribal governments in the exercise of their governmental functions.

In accordance with both Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for administering the Department’s programs and activities.

Discussion of Potential Costs and Benefits

We have reviewed the priorities in accordance with Executive Orders 12866 and 13563 and do not believe that these priorities would generate a considerable increase in burden or cost.

We believe that the combined benefit of Priorities 1, 2, 3, and 4 would be increased diversity among the Department’s grantees. Priority 1 gives the Department the opportunity to prioritize a “new potential grantee” with greater flexibility than is currently available through the existing Education Department General Administrative Regulations provision allowing the Department to give special consideration to “novice applicants.” We believe that this priority could result in a number of changes in the behavior of both Department staff and applicants. We believe that the additional flexibility in the new definition would increase the number of competitions in which we prioritize a “new potential grantee,” resulting in additional applicants submitting applications for competitions that include such a priority. Using this priority could increase access to the Department’s grants for eligible entities who have struggled to submit competitive applications in the past. However, because application submission and participation in our discretionary grant programs is voluntary, we do not think that it would be appropriate to characterize any increased participation in our grant competitions as costs associated with these priorities. Moreover, we believe any costs will be significantly outweighed by the potential benefits of more efficiently targeting funds and expanding the research base. In addition, participation in a discretionary grant program is entirely voluntary; as a result, these priorities do not impose any particular burden except when an entity voluntarily elects to apply for a grant.

Priority 2, as the inverse of Priority 1, similarly does not create costs or benefits, but may result in shifting some of the Department’s grants among eligible entities. Again, since application submission and participation in our discretionary grant programs is voluntary, we do not think that it would be appropriate to characterize any increased participation or differences in which entities receive awards as costs associated with this priority.

Priority 3 gives the Department the opportunity to prioritize rural applicants. We believe that this priority could result in changes in the behavior of both Department staff and applicants similar to those described above with respect to Priority 1. First, we believe that a priority for supporting rural communities will increase the number of competitions in which we prioritize rural applicants. Second, we believe that it may result in additional

applicants submitting applications for competitions that include such a priority, which could result in shifting some of the Department's grants among eligible entities. However, because application submission and participation in our discretionary grant programs is voluntary, we do not think that it would be appropriate to characterize any increased participation in our grant competitions as costs associated with this priority.

Similar to Priority 2, Priority 4, as the inverse of Priority 3, does not create costs or benefits. Instead, Priorities 3 and 4 may have the result of shifting at least some of the Department's grants among eligible entities. Again, since application submission and participation in our discretionary grant programs is voluntary, we do not think that it would be appropriate to characterize any increased participation or differences in which entities receive awards as costs associated with this priority.

To the extent a program directs additional resources to evidence-based strategies or helps build the evidence base on a particular action or approach, such as through Priorities 5 and 6, there may be a benefit in the form of more effective use of Federal funding and broadened information about the evidence on the grantee's approach in the grantee's setting. However, it is not possible to quantify the extent of such a benefit without knowing which programs will use these priorities and in what circumstances.

Priority 5 allows the Secretary to prioritize or require applicants to submit a logic model that is informed by research findings. This provision may result in qualitative benefits if grantees use the logic model to better plan their projects and more clearly communicate the intended outcomes. Many grant competitions already include a requirement similar to this priority and, to the extent it is included in additional competitions in the future, we do not believe that it would create a substantial burden for applicants, because we assume that applicants in those programs would likely already have conceptualized an implicit logic model for their applications and would, therefore, experience only minimal paperwork burden associated with explaining it in their applications. In addition, the Department has several publicly available resources on designing logic models and intends to provide pre-applicant technical assistance on this subject where appropriate.

Finally, Priority 6 allows the Department to give priority to

applications that propose to collect data after the original project period. The priority would not require a grantee to fund the data collection period itself; rather, at the completion of a project period, the Department would provide additional funds for data collection under existing authority to do so. As with Priorities 1 and 2, because this priority would neither expand nor restrict the universe of eligible entities for any Department grant program, since application submission and participation in our discretionary grant programs is voluntary, and since the Department would provide the additional funding to support the data collection period, we do not think that using this priority in a competition would incur costs on the part of the applicant. However, it is possible that, in electing to provide data collection grants to a particular cohort of grantees, the Department would have fewer funds available to fund new awards in future years. For example, if a cohort of five-year grants was awarded in 2020, and those grantees received data collection extensions in 2026, funds that would have been available in 2026 for new awards would be used, instead, to support the data collection extensions. It is not possible to predict the specific costs related to shifts from new awards to data collection awards because each grant program is funded at different levels and awards different average amounts to its grantees. Further, we anticipate that funding provided to grantees for the purpose of extended data collection would vary considerably depending on the scope of the original grant project and the scope of the extended data collection proposal. Finally, we believe that longitudinal data are valuable as a resource for practitioners, researchers, and the Department, and providing resources for extended data collection would likely improve the quality of information available on promising approaches to improve education outcomes.

Regulatory Flexibility Act Certification: The Secretary certifies that the final priorities will not have a significant economic impact on a substantial number of small entities. The U.S. Small Business Administration (SBA) Size Standards define proprietary institutions as small businesses if they are independently owned and operated, are not dominant in their field of operation, and have total annual revenue below \$7,000,000. Nonprofit institutions are defined as small entities if they are independently owned and operated and not dominant in their field of operation. Public institutions are

defined as small organizations if they are operated by a government overseeing a population below 50,000.

Of the impacts we estimate accruing to grantees or eligible entities, all are voluntary and related mostly to an increase in the number of applications prepared and submitted annually for competitive grant competitions. Therefore, we do not believe that the final priorities will significantly impact small entities beyond the potential for increasing the likelihood of their applying for, and receiving, competitive grants from the Department.

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: March 4, 2020.

Betsy DeVos,
Secretary.

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DEPARTMENT OF EDUCATION

34 CFR Part 75

[Docket ID ED–2021–OPEPD–0054]

Final Priorities and Definitions— Secretary’s Supplemental Priorities and Definitions for Discretionary Grants Programs

AGENCY: U.S. Department of Education.

ACTION: Final priorities and definitions.

SUMMARY: In order to support a comprehensive and ambitious education agenda, the Secretary issues six priorities and related definitions for use in currently authorized discretionary grant programs or programs that may be authorized in the future. The Secretary may choose to use an entire priority for a grant program or a particular competition or use one or more of the priority’s subparts. These priorities and definitions replace the Supplemental Priorities published in the **Federal Register** on March 2, 2018, the Opportunity Zones final priority published on November 27, 2019, and the Remote Learning priority published on December 30, 2020. However, if a notice inviting applications (NIA) published before the effective date of this notice of final priorities and definitions included one or more of those priorities, the included priorities apply to that competition.

DATES: These priorities and definitions are effective January 10, 2022.

FOR FURTHER INFORMATION CONTACT: Dr. Nkemjika Ofodile-Carruthers, U.S. Department of Education, 400 Maryland Avenue SW, Room 4W308, Washington, DC 20202. Telephone: (202) 401–4389. Email: Nkemjika.ofodile-carruthers@ed.gov.

SUPPLEMENTARY INFORMATION:

Executive Summary

Purpose of This Regulatory Action: The Secretary has outlined a comprehensive and ambitious education agenda that reflects the Secretary’s vision for American education. This vision is based on a fundamental respect for the dignity and potential of every student and their access to educational opportunity. These final priorities are aligned with evidence-based (as defined in this document) and capacity-building approaches to addressing various interconnected policy issues in the Nation’s education system. These final priorities and definitions may be used across the Department of Education’s (the Department) discretionary grant programs to further the Department’s mission, which is “to promote student

achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.”

Summary of the Major Provisions of This Regulatory Action: Through this regulatory action, we establish six supplemental priorities and associated definitions. Each major provision is discussed in the *Public Comment* section of this document.

Costs and Benefits: The final priorities and definitions will impose minimal costs on entities that receive assistance through the Department’s discretionary grant programs. Application submission and participation in a discretionary grant program are voluntary. The Secretary believes that the costs imposed on applicants by the final priorities are limited to paperwork burden related to preparing an application for a discretionary grant program that is using one or more of the final priorities in its competition. Because the costs of carrying out activities will be paid for with program funds, the costs of implementation will not be a burden for any eligible applicants, including small entities.

We believe that the benefits of this regulatory action outweigh any associated costs because it will result in the submission of a greater number of high-quality discretionary grant applications and supporting activities that reflect the Administration’s educational priorities.

Program Authority: 20 U.S.C. 1221e–3.

We published a notice of proposed supplemental priorities and definitions (NPP) in the **Federal Register** on June 30, 2021 (86 FR 34664). That document contained background information and our reasons for proposing the priorities and definitions.

There are differences between the proposed priorities and definitions and the final priorities and definitions established in this notice of final priorities and definitions (NFP), as discussed in the *Analysis of Comments and Changes* section in this document.

Public Comment: In response to our invitation in the NPP, 100 parties submitted comments on the proposed priorities and definitions.

Generally, we do not address technical and other minor changes, or suggested changes that the law does not authorize us to make under applicable statutory authority. In addition, we do not address general comments regarding concerns not directly related to the proposed priorities or definitions.

Analysis of Comments and Changes: An analysis of the comments and of any

changes in the priorities and definitions since publication of the NPP follows.

General Comments

Comments: Many commenters expressed general support for all the proposed priorities, and one commenter also expressed support for the definitions. We also recognize that it is important to engage broad stakeholders and have incorporated many of the comments throughout the priorities.

Some of these commenters also expressed support in specific areas. For example, two commenters expressed appreciation for the emphasis on the needs of students and educators. A third commenter expressed similar support for the emphasis on the needs of students and added, more broadly, support for the focus on schools and families. Two commenters noted the importance of understanding the impact of the novel coronavirus disease 2019 (COVID–19), with one adding that it is critical to prioritize actions that will increase educational equity and create a more diverse education workforce. Other commenters supported the emphasis the priorities place on specific topic areas relating to, or subgroups of, children. For example, two commenters noted the emphasis these priorities have on students with disabilities. Another commenter noted, along with their support, that they thought it was important to focus Department grant programs on first-generation students from low-income backgrounds. A separate commenter supported the overall emphasis throughout the priorities on early learning, while another commenter expressed overall support for the focus on mental health. Another commenter expressed appreciation for the acknowledgement of the need to address staffing shortages and the use of universal design for learning. This same commenter specifically noted that students with disabilities, particularly students with Down syndrome, will only benefit from each of these priorities if grantees include such students. The commenter further indicated that students with significant cognitive disabilities have been frequently left out of key grant programs.

Other commenters believed that the priorities could have a positive impact on education more broadly. For example, one commenter stated that these priorities are crucial to the immediate and ongoing work of recovery and transformation in our education system to meet the needs of all learners, while another commenter appreciated the thoughtful systems-level approach to equitably distribute

resources. Finally, one commenter expressed hope that the priorities bring noticeable change in education.

Discussion: We appreciate the overwhelming support for the priorities and welcome the additional comments and suggestions. We agree with the commenters on the importance of focusing on the critical needs of educators, schools, families, and students, including students with disabilities, including those with significant cognitive disabilities.

Changes: None.

Comments: One commenter requested changes to the background section of the NPP where the Department discussed its intent that, where technology is referenced in the priorities and definition, the technology be accessible to English learners, and to individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, as applicable. The commenter asked that we also specify that limited English proficient parents should have meaningful access to information about technology, including technology support and information on data collection, storage, and sharing. The commenter also requested that instructional technology be developed with English learners in mind and that teachers know how to select appropriate and high-quality digital tools that can be adapted for English learner instructional strategies in a virtual environment. For example, instructional technology could include embedded language support features and allow for verbal peer-to-peer interaction.

Discussion: We appreciate the recommendation for changes to the background to include supports for limited English proficient parents and to ensure that instructional technology is developed with English learners in mind. We agree that Priority 1(e) should address this concern as technology supported learning experienced must be inclusive of English learners. We do not include a background section in the NFP, nor is the background section considered part of the final priorities.

Changes: In priority 1(e), we have included language to specify that access to high-quality, technology supported learning experiences be accessible and usable by English learners.

Comments: One commenter recommended that we require grantees to report on their progress in amplifying the voices and experiences of families, providers, and community partners. In addition, the commenter recommended requiring grantees to disaggregate data to the extent possible by race/ethnicity, language, and disability status.

Discussion: We appreciate the comment. Reporting requirements for grant programs are established separately for each grant program based on program requirements. The Secretary's supplemental priorities are not, by design, the place for establishing reporting requirements. For this reason, we are not making any changes in response to this comment.

Changes: None.

Comments: One commenter suggested using the term "early learning and education" instead of "education" throughout the priorities to emphasize the birth through college model. The commenter also suggested using "children and students" instead of "students," and "Pre-K starting at birth" instead of "K-12."

Discussion: We agree with the commenter's interest in ensuring that the priorities are inclusive of young learners. We interpret the terms "education" and "students" throughout the priorities to be, in general, inclusive of early learning and children, respectively. Where appropriate, we have specified specific groups of students. Further, "early learning" is defined to include programs that provide early care and education for children from birth to kindergarten entry. Therefore, we decline to make any changes in response to this comment.

Changes: None.

Comments: One commenter stated that prioritizing vulnerable students in underserved school districts should be a top priority for the Department.

Discussion: We agree that prioritizing vulnerable students in underserved school districts is important. The establishment of these priorities is one of many actions the Department is taking to focus on vulnerable students in underserved school districts. The priorities repeatedly reference "underserved students," and the definition of "underserved students" includes students who may be vulnerable for a variety of reasons.

Changes: None.

Comments: One commenter recommended adding career and technical education centers to the listings of educational settings as these centers are often not included in funding conversations.

Discussion: We thank the commenter for this suggestion and agree that a focus on career and technical education centers should be added to specific priorities to ensure that they are intentionally included in the discussion.

Changes: We have added "career and technical education programs" to

subpart (a) of Priority 2, subpart (h)(1)(ii) of Priority 3, and subpart (f) of Priority 4.

Comments: Several commenters suggested adding additional priorities. One commenter suggested a priority focused on improving the effectiveness of principals. Another commenter suggested a science, technology, engineering, and math (STEM) priority. A third commenter proposed a priority to address other factors that impact educational attainment and outcomes, through a whole-child approach to young children's success. A fourth commenter recommended making school diversity its own priority. That commenter also suggested using more explicit language on "school integration" and "desegregation" throughout the priorities, in addition to the U.S. Supreme Court's terminology—"school diversity" and "reduction of racial isolation."

Discussion: We appreciate these thoughtful recommendations for additional priorities. The priorities, as proposed, address each of these topics. Priority 2 focuses on STEM by including a subpart that calls attention to the inequities related to access to and success in rigorous and engaging approaches to STEM coursework. In addition, the Department has funded and continues to fund many projects with a STEM focus.

Regarding a new priority to address other factors that impact educational attainment and outcomes, projects that focus on whole-child strategies would be included under both Priority 1 and Priority 4. Priority 1 supports projects that address the impacts of COVID-19 by providing resources and supports to meet the basic health and safety needs of students and educators. Priority 4 is for projects designed specifically to improve students' social, emotional, academic, and career development.

Finally, school diversity is addressed specifically in Priority 2. Overall, the Department is committed to equity and adequacy of resources for underserved students. One way we think this can be accomplished is by examining the sources of inequities. For this reason, proposed subpart (b)(13) of Priority 2 supports developing or implementing specific policies or practices to address racial and socioeconomic diversity by improving data collection methods to identify trends in and contributors to stratification and barriers to diversity.

Given that each of the additional proposed topics are addressed in the existing priorities, including improving the effectiveness of principals and the use of school integration and

desegregation, we are not making any changes in response to these comments.

Changes: None.

Comments: Several commenters made suggestions regarding the use of the term “educator.” These commenters highlighted the lack of clarity on who the term includes, with many concerned it might be construed to mean only teachers, pointing out inconsistencies in how the term was used in the proposed priorities. For example, if “educators” is meant to include persons who are not teachers, then the commenters argued that subpart (f)(3) of Priority 3, which uses the phrase “educator and school leader,” is confusing. As such, many commenters recommended including principals and other school leaders in addition to educators to highlight the important role school leaders play and noted that this would be consistent with the Elementary and Secondary Education Act (ESEA). Additionally, other commenters recommended including early learning educators among the educators addressed in Priority 3, also citing consistency with the ESEA. One commenter requested that specialized instructional support personnel be included, and another commenter noted the importance of school psychologists. Lastly, a couple of commenters requested that when discussing diverse educators, Priority 3 specifically mention educators with disabilities, emphasizing the importance of students with disabilities seeing successful educators with disabilities and the abilities of those diverse educators.

Discussion: We appreciate that the use of “educator” could cause confusion regarding who is included under this term. Our use of “educator” is meant to include all professionals working to educate students and impact student learning, recognizing that all these professionals play important roles. Additionally, the term “diverse educators” is intended to include educators from all backgrounds that are underrepresented in the workforce, including educators with disabilities. As such, we are adding a definition of “educator” to explain more clearly what is meant by the term and to be inclusive of the groups that commenters noted, and we are clarifying usage of “educator” throughout the priorities where it is unclear.

Changes: We have added a definition of “educator,” which includes early childhood educators, teachers, principals and other school leaders, specialized instructional support personnel (e.g., school psychologists, counselors, school social workers), paraprofessionals, and faculty.

Additionally, in Priority 2, subpart (a)(2),(b)(2)–(4), and throughout Priority 3, subpart (b), we have replaced the references to “teachers” with references to “educators” for consistency. In proposed subpart (f)(3) of Priority 3, we have removed “and school leaders.”

Although the Department did not propose definitions of “teacher” and “principal” in the NPP, we have revised the final definitions, based on this and other comments, to include a definition of “educator.” While it was always our intent to include early learning professionals within the broader group of educators, we have added a definition of “educator” to the final definitions that includes “early learning educator.”

Changes: We have added “early learning educator” to the new definition of “educator.”

Comments: One commenter suggested the Department define Pre-K students as a separate subgroup with specific needs outside of K–12 education. More specifically, the commenter suggested that we clarify that each of the final priorities would support projects in the early learning context, to the extent applicable.

Discussion: We appreciate this comment and agree with it, in part, as we agree with supporting projects that address early learning but do not think we need a separate subgroup definition. Priorities 2, 3, 4, and 6 share a focus on underserved students and the definition of “underserved student” includes children in early learning environments as one of the groups of learners upon which a project may focus.

Changes: We are revising the introductory paragraph within priorities 2, 3, 4, and 6 to include that the focus of the projects should include underserved students.

Comments: One commenter asked that, through the priorities, we specifically promote certificate programs, such as programs that award licensed practical nursing or cybersecurity certificates, which could benefit students with disabilities who have individualized educational programs.

Discussion: We thank the commenter for the comment. We agree that certificate programs can provide important career pathways to students, including students with disabilities. Priority 5 addresses the types of programs described by the commenter and encourages projects designed to increase postsecondary access, affordability, success, and completion for underserved students, which may include under subpart (j) projects that connect children or students with disabilities, adults with disabilities, and

disconnected youth to resources designed to improve independent living and the achievement of employment outcomes. Accordingly, no change is needed, as Priority 5 would allow the projects proposed by the commenter.

Changes: None.

Comments: One commenter urged the Department to include student and educator voices in each of the topic areas to engage students in the overall education process.

Discussion: We agree that students and educators, as applicable, should be included in the design, development, and implementation of projects proposed under these priorities. However, where appropriate to the program and the competition, the Department may include in the NIA the selection criteria in 34 CFR 75.210, through which a proposed project will be evaluated on the extent to which the proposed project encourages participant or beneficiary involvement and to which the services to be provided by the proposed project involve the collaboration of appropriate partners for maximizing the effectiveness of project services. We think this approach is a more tailored way to promote involvement by the relevant affected stakeholders, which may include students and educators, on a program-by-program basis. Therefore, we have not made any changes in response to this comment.

Changes: None.

Comments: Five commenters suggested revising the introductory note about accessibility of technology to ensure it references all applicable Federal law, including the Individuals with Disabilities Education Act (IDEA) and the ESEA. The commenters also suggested adding language to reinforce the need for technology to be universally designed and fully accessible, as well as to be interoperable with assistive technology. A sixth commenter stated that the technology should be usable by English learners and individuals with disabilities.

Discussion: We appreciate the recommendation for changes to the background to ensure it is consistent with all Federal requirements and for the suggested improvements. We do not include a background section in the NFP, nor is the background section considered part of the final priorities. Therefore, we are not making any changes in response to these comments.

Changes: None.

Comments: Two commenters suggested addressing rural education in the priorities. One urged caution in adding supplemental priorities to rural-serving programs without funding

increases; the other recommended maintaining the priority related to rural applicants in the Administrative Priorities for Discretionary Grant Programs published in the **Federal Register** on March 9, 2020 (85 FR 13640) and requested that additional attention be given to rural education under each supplemental priority. These commenters also provided suggestions related to funding for rural education. One recommended providing additional funding to address the needs of rural education, particularly educator compensation and training; the other commenter requested the Department work to ensure that all districts have equal opportunities to apply for and receive funding and noted concerns that some school districts do not apply for discretionary grants because they believe the Department favors the largest school districts.

Discussion: We thank the commenters for their suggestions. In preparing for each program's grant competition, the Department takes care in deciding which priorities to apply and when, considering, in part, eligible entities' capacity for addressing the priorities. Nevertheless, we appreciate the commenter's caution about the use of supplemental priorities for rural-serving programs. Regarding the administrative priority for rural applicants (85 FR 13640), this priority remains in effect and will be available for use by the Department, as appropriate.

Regarding the comment about additional funding for rural education, we consider these priorities to be one mechanism for generating additional funds for rural-serving programs. Rural-serving programs may apply for the Department's discretionary grants to which these priorities will apply. Finally, while the comment about ensuring that all districts have equal opportunities to apply for and receive funding is beyond the scope of the supplemental priorities, the Department's procedures for awarding discretionary grants include a variety of safeguards and technical assistance to ensure fair grant competitions. For example, for almost all the Department's grant competitions, program staff recruit application reviewers from outside the Federal Government. And, while Department staff screen applications to ensure that they meet all program requirements, the non-Federal reviewers read and independently score the applications assigned to them.

Changes: None.

Priority 1—Addressing the Impact of COVID-19 on Students, Educators, and Faculty

Comments: Several commenters expressed their support for Priority 1, its focus on the effects of the COVID-19 pandemic, and recognition of the challenges underserved students experienced before the pandemic. Commenters especially appreciated the focus on students' social, emotional, mental health, and academic needs; technology access for students and educators and how to best address the "digital divide"; using an evidence base; and the background discussion of the priority that emphasized afterschool and summer programs, focus on the whole child, and community and family engagement. One commenter appreciated the alignment of this priority with the needs of community colleges. In its support for the priority, one commenter recommended prioritizing underserved students, while another commenter expressed that they would like to see a focus on all age groups from infants to young adults, as well as educators and families. Another commenter recommended prioritizing Historically Black Colleges and Universities (HBCUs) to provide resources for HBCUs to address the needs of their students.

Discussion: We appreciate the support for the priority and that commenters found strong connections between the priority and the needs they are seeing in the field. Regarding prioritizing underserved students, Priority 1 focused on "the students most impacted by the pandemic," but we believe that, as we did in the other priorities, we should include a focus on underserved students. We also define "underserved students" to include age groups from infants to young adults, and the educators and families that support those students. We also agree that it is important that all institutions, especially institutions that work directly with underserved students, have the resources needed to address Priority 1 to address the needs of and fully support their students who are largely underserved populations impacted by the pandemic.

Changes: We have added "with a focus on underserved students" to the lead-in paragraph of Priority 1. Additionally, to address this comment, in Priority 2, we have added new subpart (b) that allows the Department to prioritize community colleges, HBCUs, Tribal Colleges and Universities (TCUs), or Minority-Serving Institutions (MSIs). Accordingly, proposed subpart

(b) of Priority 2 has been redesignated as final subpart (a)(2).

Comments: A couple of commenters proposed that Priority 1 be used as a competitive preference priority, with one commenter recommending that this priority be used as a competitive preference priority in the FY 2022 Charter School Programs (CSP) competitions.

Discussion: These priorities are intended to be a menu of options for use in our discretionary grant programs. The Department may choose which, if any, of the priorities or subparts are appropriate for a particular program competition, as well as the appropriate level of funding and selection criteria. If the Department chooses to use a supplemental priority, it also will designate in the notice inviting applications whether the priority will be used as an absolute, competitive preference, or invitational priority in the grant competition.

Changes: None.

Comments: One commenter recommended the addition of a new subpart to Priority 1 focused on comprehensive plans to address literacy gaps from the pandemic and remote learning.

Discussion: We agree that the pandemic has had significant impacts on learning, including on literacy development. Although we appreciate the commenter's recommendations for how this priority could be expanded to include a focus on literacy, we want to clarify that the priority does not prohibit the projects described by the commenter, and that there are already elements that support such models, for example subpart 1(g). Applicants have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population.

Changes: None.

Comments: Several commenters encouraged applicants to consider the views of students in addressing the issues under the priority, especially focusing on student engagement in decision-making and community asset-mapping. Another commenter suggested strengthening the priority by including family impacts from the pandemic, not just student- and educator-specific impacts, including opportunities to address the needs of families in addition to needs of students' and educators.

Discussion: We agree that it is important to be able to reengage and support student learning to address COVID-19 impacts, and that students and educators, as applicable should be included in the design, development and implementation of projects

proposed under these priorities. Student engagement and voice can be a part of projects addressing this priority as proposed, and we believe that applicants are best suited to determine how to engage students to address the priority. Likewise, we recognize that the pandemic has had an impact on everyone, not only students and educators, but their families as well. We believe that addressing students' needs can include addressing the needs of the families that support those students but agree with the commenter's recommendation that the priority should explicitly refer to reengaging families.

Changes: We have added "and their families" at the end of subpart (a) of Priority 1.

Comments: Though Priority 1 is focused on addressing the impacts of COVID-19, one commenter encouraged the Department not to use this priority to support "vouchers," citing the Education Stabilization Fund-Rethink K12 Education Models, which established microgrants for parents. The commenter noted the importance of this priority focusing on public school students.

Discussion: We recognize that across the various COVID-19 relief programs established by Congress, there have been different requirements, priorities, and eligible applicants. This priority is designed to address the students most impacted by the pandemic, with a focus on underserved students. The priority does not include any reference to "vouchers"; eligibility for a program, including whom a program may serve, is determined by a program's statutory authority.

Changes: None.

Comments: Several commenters recommended that Priority 1 specifically address the needs of early learning programs, and recommended changes to the background section to reference these needs and the mental health needs of children in early learning programs related to the pandemic.

Discussion: We appreciate the recommendation for additions to the background for the priority to discuss early learning. We do not include background sections for priorities in the NFP, nor are the background sections considered part of the final priorities. Therefore, we are not making any changes in response to this comment. Regarding focusing on the mental health needs for children in early learning, since the proposed priority refers to "underserved students," and the definition of "underserved students" includes "children in early learning

environments," the proposed priority's focus on students' mental health needs includes students in early learning programs. Accordingly, changes to the priority are not necessary.

Changes: None.

Comments: Multiple commenters supported subpart (a) of Priority 1, especially the emphasis on community asset-mapping, with one commenter recommending using U.S. Census data to look more specifically at household disparities from the pandemic. Additionally, commenters noted that this priority will help supplement the other funding States are receiving and will help minimize burden on educators, students, and families. While supportive of the priority, a few commenters recommended additions to this subpart. One commenter noted the significant impacts of the pandemic on English learners and requested that this subpart address learning and language needs of these students. This commenter also recommended a focus on reengaging "virtual drop-out" students who disengaged because of remote learning. Other commenters recommended that we add language to the priority to ensure that State and district needs are assessed and measured, looking not only at academic indicators but also at student well-being, school culture, and broader indicators of reengagement, with one commenter suggesting a focus on reengagement at the early learning level. Given the varying impacts of the pandemic on students, one commenter proposed additional language focused on assessing the needs of specific subgroups of students, including children or students with disabilities, and the potential extension of eligibility for services for students with disabilities based on this assessment of needs. Finally, one commenter recommended that while full community engagement in community asset-mapping and the data generated are important, the asset-mapping does not need to be perfect and that funding under the priority be used to serve as many students as possible.

Discussion: We appreciate the comments supporting this subpart and the importance of community asset-mapping. We agree that there are a range of data points that can be used to assess needs, including U.S. Census data, State and local data, and data from community partners. We also agree that reengagement of all groups of students is important, including students attending school in-person and those participating in remote learning. The priority is focused on the students most impacted by the pandemic, and we agree that these include English learners

and children or students with disabilities as discussed by commenters. Given the focus on students most affected by the pandemic, we do not think additional language identifying specific groups of students is necessary, but we agree that ensuring that the assessment considers subgroups of students is valuable. As a result, we have added language to clarify that the assessment may include an assessment of subgroups of students. We agree that States and districts need to work with students with disabilities and their families but do not think additional language in the priority is necessary for this work to be carried out. Lastly, the intent of the subpart is to reengage students and address the impacts of COVID-19, and applicants have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population.

Changes: We have clarified in subpart (a) of Priority 1 that any assessment of student disengagement may include a focus on subgroups of students.

Comments: Multiple commenters supported subpart (b) of Priority 1 and appreciated the focus on health and safety needs, especially the inclusion of educators along with students. One commenter recommended a focus on underserved communities, given the impact of the pandemic on those communities. Another commenter encouraged inter-agency collaboration to address health and safety needs, including collaboration with State departments of education, food and nutrition agencies, public health departments, and other providers.

Discussion: We appreciate the comments in support of subpart (b) and agree that health and safety needs of both students and educators need to continually be assessed and addressed. We also agree that collaboration with relevant agencies and providers can help to successfully provide for the health and safety needs of students and educators, and such collaboration would be permitted under this subpart.

This priority is focused on those most impacted by the pandemic, and as noted above, we have added "underserved students" to the lead-in paragraph of Priority 1 to focus on those groups. In addition, Priority 6 addresses inter-agency collaboration and could be used in conjunction with this priority, so we do not think any changes to the subpart are necessary.

Changes: None.

Comments: A few commenters expressed support for subpart (c) of Priority 1 and suggested that mental health be maintained in this subpart.

One commenter recommended that funding be used to address shortages in mental health professionals and that the subpart include language allowing the use of multi-tiered systems of supports to address the social and emotional needs of students. One commenter requested that the approaches to addressing these needs be culturally and linguistically responsive. Another commenter recommended a new subpart focused on community engagement and the importance of partnerships to support emotional, physical and mental health, and academic needs.

Discussion: We appreciate the commenters' support for this subpart of the priority and agree that addressing students' mental health needs is especially important given the impacts on mental health caused by the pandemic. Addressing mental health needs includes ensuring the appropriate mental health professionals are involved. We also recognize the potentially positive impacts of well-designed, well-executed multi-tiered systems of supports, which we include in Priority 4. Such an approach to addressing mental health needs would be permitted under this subpart, so we do not think additional language is necessary in this subpart of Priority 1. We recognize the importance of addressing students' needs in culturally and linguistically inclusive ways, recognizing and valuing all students' identities, cultures, and potential, and are adding language to address this issue similar to that used in other priorities. Lastly, we agree that community engagement and partnerships can be beneficial to addressing students' social, emotional, mental health, and academic needs. Applicants have the discretion to determine what approach or intervention, including necessary partnerships, will best address the priority and meet the needs of the targeted population. In addition, Priority 6 addresses inter-agency collaboration and could be used in conjunction with this priority.

Changes: We have specified in subpart (c) of Priority 1 that project approaches must be inclusive with regard to race, ethnicity, culture, language, and disability status.

Comments: Multiple commenters supported subpart (d) of Priority 1. One commenter recommended that this subpart emphasize the recruitment and retention of educators and educator preparation programs. Another commenter recommended that the subpart reference a specific report on

teachers of color and include a focus on educators and staff of color.

Discussion: We appreciate support for this subpart. We do not think the suggested additions to subpart (d) are necessary because Priority 3—Supporting a Diverse Educator Workforce and Professional Growth to Strengthen Student Learning—focuses on educator preparation, recruitment, and retention, as well as educator diversity and the needs of diverse educators. Applicants have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population, which may include specific groups of educators most impacted by COVID-19. Lastly, we do not cite specific reports in the text of the priorities and therefore decline to include the suggested references.

Changes: None.

Comments: Multiple commenters noted their appreciation for subpart (e) of Priority 1 and the Department's recognition that those most impacted by the pandemic often have significant technology needs. Several commenters made recommendations for additional language related to technology for children or students with disabilities to ensure the technology complies with laws, such as the Children's Online Privacy Protection Act (COPPA), and is "accessible," "useable," and "interoperable." One commenter requested that district and school administrators ensure that any future technology schools and districts obtain is accessible for children or students with disabilities. Commenters recommended that English learners also be addressed in this subpart, noting that English learners similarly have unique needs. One commenter recommended that this subpart also ensure that families understand the technology being used. A couple of commenters suggested that the subpart require that the professional development educators receive is "collaborative" and "sustained," and another commenter recommended that coaching be included along with professional development. Another commenter requested changes to the background section of the NPP where the Department discussed its intent that, where technology is referenced in the priorities and definition, the technology be accessible to English learners and to individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, as applicable. Lastly, one commenter suggested that the subpart include language regarding the continued use of

remote learning and service delivery, especially in the case of school psychologists.

Discussion: We agree with commenters that technology access continues to be a barrier for many students, and we share commenters' concern about accessibility for all students, including children or students with disabilities and English learners. To address this issue, we have added language to this subpart to ensure that technology meets the accessibility needs of children or students with disabilities, and to also clarify that technology must support English learners. We do not think it is necessary to add language regarding future technology purchases by districts and schools because the subpart already requires that technology be accessible. Regarding professional development, we agree that professional development may benefit from being collaborative and sustained; however, the degree to which it need to be collaborative and sustained may depend on the type of technology and the educator's level of comfort and experience. As to maintaining remote learning and service delivery, applicants have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population.

Changes: We have revised subpart (e) of Priority 1 to provide that technology-supported learning experiences must be useable and interoperable after in addition to accessible by children or students with disabilities, as well as English learners. We have also provided that related professional development should be sustained and collaborative, as appropriate.

Comments: One commenter suggested including universal design for learning in subpart (f) of Priority 1 as an example of an evidence-based intervention.

Discussion: We thank the commenter for the suggestion and agree that universal design for learning is an example of an evidence-based intervention. We do not believe that it needs to be specifically mentioned in this subpart for a prospective applicant to propose to use it and note that it is already included in the definitions.

Changes: None.

Comments: One commenter suggested decoupling personalized learning from extended learning time and technology as both can enhance learning, however, personalized learning is not dependent on extended learning time or technology. The commenter stated that applicants should enable evidence-based interventions, by leveraging technology where appropriate, to support personalized in-person student

learning as well as evidence-based supplemental activities and, where possible, to increase parent and community engagement.

Discussion: We want the current language of the subpart to allow for personalized learning and extended learning time and technology, however, would agree that there are also other evidence-based interventions that could be used by potential grantees. We decline to make further changes to the language.

Changes: None.

Comments: One commenter noted that Priority 1 does not clearly include afterschool and summer learning options, and suggested splitting subpart (f) of Priority 1 into two subparts to highlight the importance of afterschool and summer learning programs. Specifically, the commenter proposed that subpart (f) refer to the use of technology to enable evidence-based interventions to support personalized in-person student learning; and that we create a new subpart (g) focused on evidence-based supplemental activities that extend learning time and increase student engagement and, where possible, parent engagement. The commenter also recommended that the proposed subpart (g) contain examples of activities that extend learning time, such as comprehensive afterschool and summer programs and work with community partners.

Discussion: We appreciate the commenter's suggestion and agree that afterschool and summer learning programs are important and should be explicitly mentioned. We have not adopted the commenter's suggestion to split subpart (f) into two subparts but modified the current subpart (f) to include comprehensive afterschool and summer learning and enrichment programs as examples of supplemental activities.

Changes: We have added in subpart (f) of Priority 1 comprehensive afterschool and summer learning and enrichment programs as examples of supplemental activities that extend learning time and increase student and parent engagement.

Comments: One commenter suggested that the Department consider leveraging technology for strategies beyond traditional curriculum and instruction, to include work-based learning opportunities. The commenter noted that such strategies could expand opportunities for work-based learning and employer engagement, while ensuring equitable access to students of diverse backgrounds.

Discussion: The requirement to use evidence-based supplemental activities

do not preclude an applicant from proposing to use innovative strategies for work-based learning. Accordingly, we do not believe that changes are needed to subpart (f) to allow the activities proposed by the commenter. Other priorities reference career and technical education and work-based learning, and could be used in combination with this priority.

Changes: None.

Comments: One commenter suggested removing "where possible" from subpart (f) of Priority 1. The commenter advised that family engagement should be a top priority and made possible through all means. The commenter asked that we require that parents have access to devices, connectivity, and training in the use of the school's technology.

Discussion: We appreciate the comment and agree that family engagement is a top priority. We included "parent engagement" in this priority to signal its importance, however, we realize that there may be limited instances where parental engagement may not be necessary and have included the "where appropriate" in recognition of those instances. Additionally, we will not include the requirement for access to devices as this may create additional burden for school systems who are at a minimum trying to ensure that their students all have access.

Changes: None.

Comments: One commenter requested that we use subpart (g) of Priority 1 to encourage States and districts to develop strategies related to accelerated learning, but another commenter expressed concerns about a lack of information on the effectiveness of certain accelerated learning approaches, especially for children or students with disabilities, and how retention and special education eligibility are being used in relation to lost instructional time. One commenter suggested that we add language related to professional development for educators to address lost instructional time. Another commenter recommended adding language related to career development and readiness.

Discussion: We recognize that there are many different instructional approaches and supports to accelerate learning, and this priority is designed to support a variety of approaches to meet the needs of those most impacted by the pandemic, including children or students with disabilities. We carefully consider when and how to use any of the supplemental priorities, and in instances where we may use this priority and subpart (g), applicants will

have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population. We agree that professional development is an important component in successful use of instructional approaches and supports to accelerate learning and think that support warrants adding language to the subpart. Lastly, given that this subpart is focused on accelerating learning, we do not think it necessary to add language related to career readiness.

Changes: We have added professional development, coaching, and ongoing support for educators as examples of approaches and supports under subpart (g) of Priority 1.

Comments: Multiple commenters proposed changes to subpart (h) of Priority 1 to expressly allow for a focus on children or students with disabilities, other credit-bearing courses not specifically addressed, and adult learners. A couple of commenters recommended including non-credit-bearing coursework for comprehensive transition programs for children or students with disabilities. Another commenter recommended that dual enrollment and early college programs be referenced in the subpart. Regarding adult learning, one commenter recommended adding a reference to advancing the careers and skills for adults, and another suggested the addition of a reference to adult learning after postsecondary education.

Discussion: We appreciate the comments on subpart (h) of Priority 1, as commenters seek to ensure all individuals are reflected in a discussion of postsecondary education or training programs. This priority is focused on supporting all students in earning a recognized postsecondary credential, prioritizing credit-bearing coursework, therefore we decline to include the addition of non-credit bearing coursework. We strongly support and encourage dual enrollment and early college programs and because such programs would be permitted under the subpart, we do not think it is necessary to add a specific reference to these programs. As to adult learners, we recognize the importance of lifelong learners and agree that proposed projects supporting these types of programs or approaches would be permitted under this subpart, and no further revisions are necessary. We are adding express reference to such programs in this subpart to underscore our interest in promoting their use.

Changes: None.

Priority 2—Promoting Equity in Student Access to Educational Resources, Opportunities, and Welcoming Environments

Comments: Several commenters expressed their general support for Priority 2 and made additional comments. One commenter specifically noted the commitment to equity and strong education regardless of background expressed through the priority, as well as the importance of equitable access to meaningful summer learning opportunities. Some commenters, while expressing their support, also urged the Department to maintain its focus on student-centered and project-based learning and stated that deeply engaging families is essential to help ensure equitable access to resources. Another commenter appreciated the inclusion of out-of-school-time settings as one of the eight educational settings listed in the priority. Several commenters appreciated the focus on parent engagement. Another commenter supported continuing existing efforts to designate resources for evidence-based, school-wide policies and practices that reduce bullying and harassment of and, discrimination against, all students. Another commenter supported new measures of student discipline to ensure more equity and end the school-to-prison pipeline. An additional commenter noted the value of project-based learning for improving academic outcomes and the importance of teacher development that includes demonstration and rehearsal activities for ensuring equitable participation in classrooms. One commenter requested that the Department increase the frequency of the Civil Rights Data Collection (CRDC) to ensure equity. A commenter agreed that equitable, systemic, and strategic early college credit is essential to driving student success in secondary and postsecondary education and beyond. Multiple commenters expressed support for all subparts of the priority. Several commenters expressed strong support for subpart (b) with specific support for the focus on identifying and remedying inequities in educational opportunities and toward making educational opportunities equal, equitable, and accessible. Another commenter stated that subpart (b) will help to increase equity by ensuring more students have access to well-prepared, effective, and diverse educators. Another commenter expressed support for equity in student access to educational resources. One commenter fully supported the Department's prioritization of

community and family engagement while designing and administering discretionary grant programs. A final commenter expressed support for success in critical and high-need fields to address the systemic practices that have contributed to inequities.

Discussion: We appreciate all the commenters' support for Priority 2. We think that, overall, the priority allows flexibility for applicants to propose evidence-based, capacity-building, and systems-level approaches designed to effect long-term change systemically and systematically for Department stakeholders. Although it is beyond the scope of this priority, we also appreciate the commenter's recommendation for enhancing the CRDC and agree that the CRDC is one resource available to identify inequity. Although it is beyond the scope of these priorities, we also recognize that the CRDC includes multiple data points that are currently collected that also capture gaps in educational equity.

Changes: None.

Comments: Multiple commenters made recommendations related to the use of Priority 2, generally. Two commenters proposed that we use this priority as a competitive preference priority and recommended its use in specific grant programs such as Education Innovation and Research, Full-Service Community Schools, and CSP Developer. Another commenter stated that recipients of discretionary grants should be prioritized by demonstrated need, with another providing suggestions on how projects should be funded. One commenter suggested establishing structures to increase student engagement and voice, including student board members and youth-led town halls. The commenter also suggested partnerships with youth to deliver leadership training. The commenter suggested designing processes to ensure equity in access for marginalized students and lastly, the commenter also suggested individualized curriculum delivery and resources to support the self-actualization of students, as well as training educators to utilize restorative justice practices.

Discussion: These priorities, as well as their subparts, are intended to be a menu of options for the Department to use in competitions for discretionary grant programs. The Department may choose which, if any, of the priorities or subparts are appropriate for a particular program competition, as well as the appropriate level of funding and selection criteria. If the Department chooses to use a supplemental priority, it also will decide whether the priority

will be used as an absolute, competitive preference, or invitational priority in the grant competition.

We agree that the commenter's proposed tools, such as student-led engagement and partnerships and professional development, could help address inequities and establish, expand, and improve learning environments. The priority is designed to allow for a wide range of projects to advance educational equity and does not prohibit projects that incorporate these approaches. Therefore, we do not think it is necessary to include these specific examples.

Changes: None.

Comments: Regarding Priority 2 generally, one commenter cited retention of principals in schools with high rates of poverty, as well as the lower income and less autonomy in decision-making principals may have, as an issue and proposed adding school leaders to some of the subparts to clarify who is included in the meaning of the term "educator." One commenter suggested that we clarify that the priority supports high-quality, non-traditional programs that include both accelerated pre-service training and classroom-based clinical training and support, particularly those programs with a track record of success. The commenter disagreed with using the word "fully" to modify "certified educators"; the commenter argued that effective teachers are best identified by their performance in the classroom, not by their background or experience. Another commenter recommended acknowledging suspension and expulsion starting at the preschool years and the inequities in these practices in the background section of this priority and citing preschool school discipline data within the priority. The commenter noted the harmful implications such practices may have on students' well-being and longer-term school success. Another commenter asked that the priority require any State pre-kindergarten enrollment portals to include Head Start and Early Head Start as options, as well as assist with transportation, mental health, and professional development programs. They also suggested that the priority require States to set and meet enrollment targets by income, family status, dual language status, and other criteria with a strong relationship to kindergarten readiness. One commenter suggested the Department consider the resources needed to enhance community capacity to analyze and use data, including funding professional development and intermediary organizations. Another commenter

suggested the Department facilitate and support peer-to-peer learning models that generate sustainable, integrated work-based learning models for employers and students.

Discussion: We appreciate the information provided by the commenter about the challenges of retaining principals in schools with high rates of poverty. The definition of “educator” includes principals and other school leaders, so this priority also allows for projects that support principals.

We recognize and appreciate the commenter’s concern regarding the focus on fully certified educators in subpart (b). However, we think that all students, particularly underserved students, should have access to educators who are fully prepared on day one as is common practice in many high-performing nations, and who are not teaching, for example, on an emergency or substitute certification. Requiring teachers to meet State standards for full certification is one means of ensuring that all students have access to qualified educators. We agree that the focus on equity in the classroom should begin at the early learning stages. We specifically identify early learning programs as a setting that the Department may select under the priority. We have designed the priority to give applicants flexibility in promoting educational equity. We believe applicants could propose under the priority, without further revision, projects related to high-quality, non-traditional programs that include pre-service classroom-based clinical training and support; suspension and expulsion inequities in early learning settings; improvements to kindergarten readiness programs, including with respect to equitable access and accessibility generally; building capacity with respect to the analysis and use of data; and peer-to-peer work-based learning models. While we fully support Head Start and all avenues to kindergarten readiness, we are unable to make requirements that are not within the scope of the statutory authority for Department programs and therefore have not added the requested language to this priority. We appreciate the commenter’s suggestion on how funds should be used. These priorities are intended as a menu of options for use in our discretionary grant programs. The Department may choose which, if any, of the priorities or subparts are appropriate for a particular program competition, as well as the appropriate level of funding and selection criteria. If the Department chooses to use one of these priorities, it will decide whether the priority will be used as an absolute,

competitive preference, or invitational priority in the grant competition, as well as the appropriate level of funding and selection criteria.

Changes: None.

Comments: Multiple commenters recommended adding additional educational settings to the list in subpart (a) of Priority 2 that would refer to schools that serve the highest-need students in an effort to support schools enrolling significant populations of students who have previously dropped out or who have a history of trauma, mental health challenges, and severe disengagement; and (2) provide for developing, implementing, and expanding access to programs that provide two-generational support for the whole family, a support that emphasizes education, economic supports, social capital, and health and well-being to create a legacy of economic security that passes from one generation to the next. Additionally, one commenter suggested that we include “home and community” in the list of educational settings in subpart (a). Regarding subpart (a)(6), one commenter recommended a definition for out-of-school-time settings that would explicitly include all kinds of programs that occur during the summer, before and after school, in the evenings, and on weekends; located in school buildings or community settings; managed or operated by schools, community organizations, parks, camps, faith-based organizations and other entities; and serving children and youth in grades K–12. A couple of commenters suggested adding alternative schools and programs and college and career education to the list of educational settings.

Discussion: We appreciate the recommendation to expand the list to include additional educational settings to ensure that more support is provided, and we agree that a focus on these settings is appropriate. Support for serving the highest-need students is captured through the priority’s express focus on promoting educational equity and adequacy in resources and opportunity for “underserved students,” which is defined to include, as appropriate to the competition, several different subgroups of students who have high needs. We agree that home and community are important locations that encourage educational development. As we have included out-of-school-time settings in the list of educational settings under subpart (a)(6), which could include both the locations identified, we do not think it necessary to add additional language. We also do not think a definition for this term is needed, as we do not want

to limit the context in which out-of-school time settings, such as before- and afterschool programs on a school campus or specialty programs that include enrichment activities, may occur. Applicants have discretion to determine out-of-school locations to meet the needs of their intended beneficiaries. We agree that alternative schools and career and technical education centers may be beneficial to add to the identified list of education settings because of the emphasis these settings put on technical skills and employability as well as academic skills that benefit students by ensuring real world applicability. For this reason, we are expanding the list in subpart (a).

Changes: We have added alternative schools and programs and career and technical education programs to the list of educational settings in subpart (a).

Comments: One commenter urged the Department to add to subpart (b)(1) of Priority 2 an explicit focus on identification of children who are dual language learners. One commenter suggested that we include in subpart (b)(1)(i) a reference to engaging students in human-centered learning experiences. One commenter recommended that we include experiential civics learning so that students can receive exposure to civic engagement outside of the classroom. One commenter agreed with the importance of early college programs in subpart (b)(1)(iii) in preparing students for success and promoting equity. This commenter suggested the use of Federal matching grants to incentivize States to implement early college programs that target first-generation students of color. This commenter also suggested including civics courses that reflect content from social civic engagement.

Discussion: We appreciate the comments on this subpart, as the commenters seek to ensure all individuals are reflected in a discussion of equity. Subpart (b)(9), which specifically mentions improving learning environments for multilingual learners, addresses dual language learners, and we believe that adding additional language to the priority would be redundant. We agree that it is important to engage students thoroughly as well as utilize multiple tools to do so. Human-centered learning is one method that can be used, but it is not applicable in every learning environment or curriculum, nor is it an exhaustive approach to engagement. We believe that while it is not listed specifically within the subpart, an applicant would not be precluded from proposing a project that includes it. We also agree that real-world application in

all content areas is critical, and especially agree that there are benefits to an education that includes civic engagement. However, we do not believe a specific focus on such content is necessary, as applicants could address the preparation for a civic life, and thereby promote the quality of life in their community, in any number of ways; including such language may create an incorrect perception that the priority provides an exhaustive list of approaches.

We appreciate the commenter's acknowledgement of the importance of early college programs and the importance of ensuring that traditionally underserved students have access to higher education. Priority 2 supports projects designed to promote educational equity and adequacy in resources and opportunity for underserved students. "Underserved students" is defined to include, as appropriate, students of color and first-generation postsecondary education students. These priorities, and their subparts, are intended to be a menu of options for our discretionary grant programs. Accordingly, Priority 2 already allows the Department to include, as appropriate to a competition, a focus on improving access to early college programs for students of color and students who are the first in their families to attend a postsecondary institution.

Changes: None.

Comments: One commenter recommended including vocational rehabilitation in final subpart (a)(2)(xii) of Priority 2, along with education and workforce training programs. The commenter asked that we acknowledge in the priorities that a disproportionate percentage of youth in juvenile justice systems have disabilities and that they should receive access to all services to which they are entitled. Another commenter recommended that the Department require schools to consider what policies are needed or what policies should be removed to make it easier for students involved with the criminal justice system to access and succeed in these education or workforce programs. The commenter noted that, in higher education especially, there are still many policies that inhibit students with criminal records from being admitted into postsecondary education and accessing financial aid and housing and that greater educational equity means removing these barriers.

Discussion: We appreciate the recommendation to include vocational rehabilitation and agree that there are equity issues for children or students with disabilities in juvenile justice

facilities. We agree with the importance of removing barriers to support equity for students involved with the criminal justice system; however, this priority broadly addresses the educational settings for inclusion of these students as opposed to the specific methods which may vary by program.

Changes: Vocational rehabilitation has been added within final subpart (a)(2)(xii).

Comments: One commenter recommended that the Department consider how college and career pathways and work-based learning can be included in subpart (b)(1)(i) of Priority 2 as one of several student-centered approaches that develops skills and knowledge students need to succeed and encouraged the Department to support communities of practice, at the State and national levels, focused on innovative models for addressing systemic inequities.

Discussion: We appreciate the commenter's recommendation and note that there are several references within this priority and subpart to college and career pathways and work-based learning. For example, proposed subpart (b)(1)(v) (now final subpart (a)(2)(i)(E)) focuses on high-quality career and technical education courses, pathways, and industry-recognized credentials. We also appreciate supporting communities of practice and continually engage with internal and external entities to ensure that inequities are consistently addressed.

Changes: None.

Comments: One commenter recommended the Department consider how subpart (b) of Priority 2 can promote a broader focus on college and career pathways for all students and better align secondary-to-postsecondary pathways strategies. Another commenter expressed the urgent need for STEM curriculum in underserved communities. One commenter suggested that the Department include strategies such as transitional instruction in subpart (b)(1)(iii) to help reduce the need for developmental education at the postsecondary level. The commenter also suggested promoting the senior year of high school as an opportunity to accelerate student progress toward early college credit or college readiness through transitional instruction by, in part, incentivizing automatic acceleration and placement policies. One commenter suggested we include a focus on educator training in subpart (b)(1)(v) to ensure educators possess the pedagogical skills to serve the needs of all students. The commenter stressed the need for a more diverse educator workforce, especially more diverse

emergency-licensed teachers who possess bilingual skills, and the commenter believed they should be compensated like educators who receive stipends for special skills outside their regular duties.

Discussion: We appreciate the commenters' recommendations on subpart (b); subpart (b)(1)(v) was included for the purpose of ensuring a broader focus on college and career pathways. We agree that there is an identified need for STEM instruction in underserved communities; accordingly, in proposed subpart (b)(1)(vi) (now final (a)(2)(i)(F)) we provide for a focus on projects addressing the inequities in access to and success in rigorous and engaging approaches to STEM coursework. In addition, the Department previously funded and continues to fund many projects with a STEM focus. We agree that transitional instruction may help reduce the need for developmental education at the postsecondary level and note that proposed subpart (b)(1)(iii) (now final (a)(2)(i)(C)) has a focus on advanced courses and programs, including dual enrollment and early college programs; as a result, we believe that including additional language is unnecessary. We also agree that there should be a more diverse educator workforce and include that focus in proposed subpart (b)(2), which addresses educators from traditionally underrepresented backgrounds.

Changes: None.

Comments: One commenter recommended that in proposed subpart (b)(2) of Priority 2, the Department focus on non-novice educators, which are educators not in their first or second year of teaching, rather than inexperienced educators more broadly, and proposed additional language to ensure that schools serving underserved students do not have disproportionately high numbers of uncertified, out-of-field, and novice teachers. One commenter proposed clarifying that teachers must be fully certified, consistent with State law, in proposed subparts (b)(2) and (b)(4) to highlight that alternate pathways to certification may be offered under State law and often allow educators from underrepresented demographics to gain certification. The commenter articulated that this change would support fair and equitable treatment under Department competitions for schools subject to different requirements.

Discussion: We agree that there is a need to ensure that there is an equitable distribution of experienced educators and are adding the language suggested by the commenter to clarify the focus of

this subpart. We recognize that there are different State requirements for certification and different pathways into the profession. The requirements for certification are determined by the State, and, therefore, in each place where we refer to certification, we are referring to certification under State law regardless of pathway into the profession.

Changes: We have added language to proposed subpart (b)(2) to clarify that a project's objective under this subpart should be to ensure that underserved students are not taught at disproportionately higher rates by uncertified, out-of-field, and new teachers compared to their peers.

Comments: One commenter recommended revising proposed subpart (b)(4) of Priority 2 to emphasize the need to support and retain teachers in the field of special education given the recent declines in teachers entering and staying within this field.

Discussion: We agree that it is important to promote educational equity and adequacy in resources and opportunity in special education. Children or students with disabilities are an identified subgroup under the definition of "underserved student." Furthermore, subparts (b)(3) and (b)(4) reference high-need fields, which may include special education educators. Accordingly, projects to promote equity in special education would be permitted under these subparts.

Changes: None.

Comments: One commenter recommended adding the following specific programs to subpart (b)(5): Gender Spectrum's Gender-Inclusive Environment Training and Programming; National Association of School Psychologists' School Building Transgender and Gender Diverse Readiness Assessment; and the Family Acceptance Project's Training, Consultation and Program Development. Another commenter recommended that we include three specific programs in subpart (b)(5): Gay-Straight Alliance Clubs and Gender and Sexuality Alliances, LGBTQ-Specific Anti-Bullying Campaigns and Policies, and LGBTQ-Inclusive Sexual Education, citing the equity issues for lesbian, gay, bisexual, transgender, or queer (LGBTQ) students. Multiple commenters suggested adding "ability" as a category for pedagogical practices in subpart (b)(5) to ensure inclusion from the ability perspective. One commenter suggested modifying subpart (b)(5) to include projects that promote effective behavioral strategies and policies that create supportive school climates in the early learning years; partnering with

parents; and providing supports for educators such as mental health consultants and training and technical assistance that help in addressing implicit bias.

Discussion: We appreciate the commenters' identification of specific programs and agree that the work of each could be relevant to Priority 2; however, we do not endorse specific programs within our priorities and do not believe they need to be added because applicants have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population. More generally, we also agree that there are equity issues for lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) students and note that this priority subpart supports projects designed to promote educational equity and adequacy in resources and opportunity for underserved students. In the definition of "underserved students," LGBTQI+ students are already an identified subgroup.

We agree that inclusive pedagogy should also include children or students with disabilities and are adding "disability status" to the list of included pedagogy. We also appreciate the commenter's suggestion for modification of this subpart to include projects that promote effective behavioral strategies and parent engagement and providing supports for educators such as mental health consultants and training and technical assistance, and believe that these projects, are covered elsewhere in the priorities, such as in Priority 1.

Changes: We are including "disability status," in subpart (b)(5).

Comments: Two commenters suggested adding language to proposed subpart (b)(6) to specifically increase "independence" and "promote self-determination" in the use of technology to increase student engagement. Another commenter suggested separating proposed subpart (b)(6) into two subparts to emphasize the role out-of-school-time programs can play in supporting student engagement and equity. One commenter recommended adding parent advocacy and parent navigator roles in proposed subpart (b)(6). Another commenter recommended adding work-based learning to proposed subpart (b)(6) so that virtual work-based learning is an option, thereby helping States address the transportation barrier that impacts work-based learning. One commenter expressed support for the inclusion of proposed subpart (b)(6) and encouraged the Department to promote strategic

partnerships that foster innovation and allow schools to experiment with different learning models that leverage technology.

Discussion: We appreciate the comments. We believe that a focus on student independence and self-determination in the use of technology is permitted under the priority as written. Because the priority itself includes a focus on out-of-school time as an educational setting, and technology is highlighted in the priority as well, we believe there is already sufficient emphasis in proposed subpart (b)(6) (now final subpart (a)(2)(vi)) on the use of technology in out-of-school time activities. Further, we recognize the importance of parental involvement and believe that parent engagement under final subpart (a)(2)(vi) could include parent advocacy and navigation with the existing language.

We also agree that virtual work-based learning could help address barriers to work-based learning. We believe that projects that promote such learning could already be included within the existing language of student learning or supplemental activities, and thus it is not necessary to include as a standalone focus. Finally, we agree that partnerships provide opportunities to leverage resources to increase a project's effectiveness or its ability to reach more students and that such partnerships would be permitted without changes to the subpart.

Changes: None.

Comments: One commenter suggested we revise proposed subpart (b)(7) to focus on how funds are targeted and specifically to require funding levels to align with students' diverse needs and account for districts' differential access to local revenue given differences in local wealth and income levels.

Discussion: We appreciate the comment. We are clarifying in the subpart (now final subpart (a)(2)(vii)) that approaches to equitable school funding should focus on equitably meeting student needs and the district's capacity to fund K–12 schools.

Changes: We have added language to now final subpart (a)(2)(vii) indicating that approaches to equitable school funding should align funding levels to students' needs and account for districts' differential access to local revenue.

Comments: One commenter urged the Department to clarify in proposed subpart (b)(8) that access to high-quality early learning should be expanded for underserved populations through programs that are racially, ethnically, culturally, and linguistically responsive programs.

Discussion: We agree with the commenter that projects to expand early learning programs should be racially, ethnically, culturally, and linguistically responsive.

Changes: We have clarified in now final subpart (a)(2)(viii) that programs should be inclusive with regard to race, ethnicity, culture, language, and disability status.

Comments: One commenter recommended that in proposed subpart (b)(9) of Priority 2, instead of “multilanguage,” we use the term “multilingual,” which is used in the field.

Discussion: We share the commenters’ interest in using language consistent with that used by the field.

Changes: We have replaced “multilanguage” with “multilingual.”

Comments: One commenter suggested we also promote engagement of families under proposed subpart (b)(10) of Priority 2, noting that family engagement opportunities may not be accessible or relevant to those families facing the greatest barriers because they are developed without input from them. Additionally, this commenter suggested adding language specific to “parent leadership initiatives” to provide parents with the opportunities and tools they need to be advocates and impact change on education issues. Another commenter suggested modifying this subpart to include staff and families.

Discussion: We appreciate that there is a need for parents and families to be engaged in decision making and leadership and while we believe that they may be included among “underserved community members,” we agree that specifically including them would provide clarity. We have not added staff, as the appropriate staff are referenced in the prior subparts that refer to educators, which is a defined term that includes a range of school staff.

Changes: We have added a reference to “parents and families” in now final subpart (a)(2)(x).

Comments: One commenter recommended adding a reference to special education to proposed subpart (b)(11) of Priority 2, in recognition that a disproportionate percentage of youth in juvenile justice systems have disabilities and that they should receive access to all services to which they are entitled. Also, regarding subpart (b)(11), one commenter recommended the Department consider that non-credit programs can serve as a segue to college and career pathways for individuals exiting the justice system.

Discussion: We appreciate the recommendation to specifically focus on

students with disabilities in the juvenile justice system. We do not think this revision is needed due to the inclusion of juvenile justice settings as a targeted educational setting in proposed subpart (a) and the inclusion of students impacted by the justice system and students with disabilities in the definition of underserved students, from which the Department can select one or more of the student subgroups identified. Additionally, regarding non-credit programs, we considered this approach but have instead focused on supporting all students in earning a recognized postsecondary credential, and therefore prioritize credit-bearing coursework. As a result, we decline to include this language.

Changes: None.

Comments: A commenter requested that, in proposed subpart (b)(13)(ii) of Priority 2, we address within-school diversity and inclusion, such as efforts to end racialized tracking. Another commenter suggested that proposed subpart (b)(13)(ii)(A) require that the ongoing, robust family and community involvement include a diverse group of stakeholders. Another commenter wanted to create a separate priority with a focus of engaging family and community members in their child’s education. One commenter urged the Department to add “ethnic” diversity along with “racial” and “socioeconomic” to subpart (b)(13)(iv)) and another commenter recommended adding “ability” to the same subpart. One commenter suggested putting special emphasis on the cross-agency collaboration listed in proposed subpart (b)(13)(ii)(C), specifically with the U.S. Department of Housing and Urban Development (HUD). One commenter recommended in proposed subpart (b)(13)(ii)(E) adding “or referring to charter schools in addition to magnet schools, citing research on the level of diversity in charter schools and the opportunity for charter schools to enroll students across geographic boundaries.”

Discussion: With respect to the request that we expressly promote within-school diversity and inclusion, we think that now final subpart (a)(2)(xiii)(B)(4) of Priority 2 addresses this through language related to an existing public diversity plan or diversity needs assessment. We agree that ethnic diversity and diversity of disability status are important and should be included in proposed subpart (b)(13)(iv), along with racial and socioeconomic diversity. We are modifying proposed subpart (b)(13)(iv) to include approaches that are inclusive with regard to race, ethnicity, culture, language, and disability status.

Regarding partnering specifically with HUD, we broadly address cross-agency partnerships in Priority 6 and therefore do not need to include that within this priority. With respect to charter schools, magnets were used as an exemplar and would not preclude an applicant being able to propose a project that addresses the same goals using charter schools.

Changes: We have added language that is inclusive with regard to race, ethnicity, culture, language, and disability status in now final subpart (a)(2)(xiii)(D).

Comments: A few commenters requested that the Department add a subpart (b)(14) to proposed Priority 2, to specifically improve the quality of education programs in Puerto Rico, to further the goal of promoting equity in access to educational resources and opportunities. One commenter recommended the addition of a subpart to prioritize the involvement of proximate voices in all levels of decision making to identify community needs.

Discussion: We appreciate the commenters’ desire to include language specific to Puerto Rico, and we agree that furthering the promotion of equity is important. We do not believe it is appropriate to target any particular State or territory as funding from the Department’s discretionary grant programs may generally be used within any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Outlying Areas, and the Tribal nations, and eligible applicants under our discretionary grant programs are generally established under a program’s statutory authority and, if applicable, regulations. Regarding the request to add a subpart prioritizing proximate involvement to help identify community needs, in proposed subpart (a)(2), we specifically ask for projects designed to examine inequities and increase the number and proportion of educators from traditionally underrepresented backgrounds or the communities they serve with the intention of including more of those voices.

Changes: None.

Priority 3—Supporting a Diverse Educator Workforce and Professional Growth To Strengthen Student Learning

Comments: Several commenters expressed their support for Priority 3 and stated that the priority focused on the full pipeline of educator preparation and growth, as well as promoting a diverse educator workforce. Regarding educator preparation, they supported the preparation of certified teachers.

Multiple commenters supported the focus on a diverse educator workforce, especially programs that include comprehensive supports, build an educator workforce from the community, include pipelines for developing educators, align with existing efforts to recruit and support educators, and support student learning. Multiple commenters reiterated the importance of professional development for both new and experienced educators that is job-embedded; culturally responsive; focused on student social, emotional, and academic needs; integrates technology; and includes a focus on students' families and the needs of the community. One commenter favorably noted that some of the areas of professional development outlined in the priority overlap with the work after-school educators do. Lastly, commenters supported the inclusion of universal design for learning. One commenter, though, suggested that we revise subpart (c) to include "accessibility" and "accommodations" in addition to universal design for learning, citing research related to working with children or students with disabilities during educator preparation.

Discussion: We appreciate the commenters' support for the priority and agree on the importance of evidence-based educator preparation programs; credentials, especially in shortage areas; a diverse educator workforce; and professional growth. We do not think it is necessary to add "accessibility" and "accommodations" to subpart (c), as educators can be prepared in these areas in the educator preparation programs, and we think universal design for learning also can incorporate accessibility and accommodations without specifically adding language to the priority.

Changes: None.

Comments: One commenter proposed splitting the priority into two priorities, with the first priority focused on educator preparation and the second priority focused on professional growth and student learning.

Discussion: We recognize that in previous iterations of the Secretary's Supplemental Priorities, the various pieces of the educator pipeline have been addressed in separate priorities. However, as we stated in the background to the NPP, "rather than a priority that is focused solely on educator professional development, the proposed priority addresses the needs of all educators, all aspects of the educator pipeline, and the diversity of and equitable access to those educators. This approach to the priorities provides a vision for systems-level approaches that

build capacity for long-term change." As such, we are retaining Priority 3 as one comprehensive priority.

Changes: None.

Comments: A few commenters expressed the importance of prioritizing HBCUs, TCUs, and MSIs in preparing educators and recommended the Department prioritize these institutions so that they have the necessary resources for their educator preparation programs.

Discussion: We agree that it is important that institutions, especially institutions that prepare a diverse set of educators, have the resources needed for those programs. We think that a focus on these institutions and their resources can be done through Priority 2 in combination with Priority 3.

Changes: None.

Comments: A few commenters proposed that Priority 3 include a recognition of the economic challenges early learning educators face, from loan forgiveness to compensation and benefits. One commenter also noted the inconsistent State requirements for early learning educators, the lack of professional development, and their mental health needs. Another commenter highlighted the shortages of early learning educators.

Discussion: We agree that there are economic challenges faced by early learning educators and recognize the important role early learning educators play in supporting the development of children. While early learning preparation standards are established at the State and local levels, we agree that early learning educators are an integral part of a diverse educator workforce and recognize the value of professional growth to strengthen student learning; however, we do not think any changes to the priority are necessary as we believe the priority is already inclusive of early learning educators.

Changes: None.

Comments: A couple of commenters recommended adding a new subpart to the priority specifically for school leaders to address school climate.

Discussion: We recognize the importance school leaders play in helping to establish school climate. Proposed subpart (b)(1)(vii)(5) of Priority 2 (now final Priority 2 subpart [(a)(2)(v)]) specifically addresses school climate and supportive, positive, and identity-safe education or work-based settings. Therefore, given there is a priority and subpart that specifically address school climate, and the fact that school leaders are included in the definition of "educator" and therefore all references to educators in Priority 3,

we do not think a new subpart is necessary.

Changes: None.

Comments: One commenter requested that we ensure that diverse educators prepared under Priority 3 are not segregated, stating that all students benefit from diverse educators. Further, the commenter recommended that in discussing diverse educators, we include language diversity. Another commenter recommended that diversity also include LGBTQI+ educators and alternative credentialing programs to prepare more LGBTQI+ educators.

Discussion: We agree that all students, not just students of color, benefit from having access to diverse educators. We do not think that the priority would result in isolating particular groups of educators; rather, it is intended to diversify the educator workforce more broadly. Additionally, we agree that a diverse educator workforce includes educators with diverse language backgrounds and LGBTQI+ educators, but we do not believe that any additional language in the priority is necessary, nor that including language for alternative credentialing programs for specific groups of educators is needed.

Changes: None.

Comments: One commenter proposed that we add a new subpart in Priority 3 under which grantees would collect, track, and report data on educator diversity and, after examining the data, address disparities in graduation rates, passage rates for certification and licensure exams, successful employment, retention, and more.

Discussion: We agree that an important aspect of the effort to promote diverse educators is understanding and addressing the issues that limit diverse educators from succeeding. As such, we propose adding a new subpart to the priority.

Changes: We added a new final subpart (c) focused on examining and addressing issues related to the success of diverse educators and reordered the remaining subparts of the priority.

Comments: Multiple commenters had recommendations related to the professional development pieces of the priority, specifically proposed subpart (g)(1). The commenter requested adding "evidence-based" in addition to "high-quality" and "job embedded" to describe professional development. Another commenter suggested that the priority emphasize professional development for educators to support children with disabilities and mental health needs. A third commenter suggested that the Department add subparts focused on professional

development for “students’ breadth of skills” and “whole learner approaches.”

Discussion: We appreciate commenters’ recommendations to focus the professional development pieces of this priority and recognize the importance of utilizing the existing evidence base to support the professional development. We can apply an appropriate evidence level established in 34 CFR 75.226, and we think that approach is preferable to adding “evidence-based” as suggested by the commenter in the specified subparts because it will allow the Department to tailor the evidence required to individual programs, as appropriate. We also support professional development designed to address the needs of children with disabilities and students’ mental health needs in final subpart (h)(1)(iv) and in Priority 1 (c), and the necessary skills all students need to engage in learning. We think all these aspects of professional development can be covered under the priority as written.

Changes: None.

Comments: A couple of commenters proposed changes to Priority 3 related to educator working conditions, suggesting that it include teacher leadership and a more active role for teachers in decision making in schools and strong inclusion of teacher voice in policies such as student discipline procedures and demands on teachers’ time. In addition, one commenter recommended that the priority support projects designed to assess the reasons for teacher turnover so that those issues can be addressed. Another commenter suggested that the priority focus on teacher salaries and alignment of those salaries with the cost of living.

Discussion: We agree that working conditions have a significant impact on the educator workforce. This priority focuses on educators, which includes teachers, and this may include teachers’ involvement in school decision making. The priority is also aimed at retaining a diverse educator workforce and addressing turnover will be central to retention. Lastly, proposed subpart (f) (now final subpart (g)) of the priority is specifically about hiring, supporting, and retaining educators, including developing compensation systems. As a result, we believe the priority as written already addresses the suggestions from commenters.

Changes: None.

Comments: One commenter suggested an additional subpart to the priority to incorporate more student engagement in providing feedback on educators and their involvement in assessments, utilizing incentives for performance

pay, and mandating specific trainings, such as conflict resolution.

Discussion: We appreciate the commenter raising the importance of student engagement and agree on ensuring student voices are heard. Although we appreciate the commenter’s recommendations for how this priority could be expanded, we want to clarify that the priority could allow for projects like those described by the commenter so long as the projects are designed to diversify the educator workforce and support professional growth for educators. Applicants have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population.

Changes: None.

Comments: Multiple commenters provided recommendations related to educator preparation programs and credentialing. Specifically, they recommended we consider highlighting “grow your own” programs that develop educators from the community, dual enrollment programs, and how college and career pathway programs think through supports for students. One commenter suggested adding the subparts under proposed (g)(1) of Priority 3 to subpart (a), arguing that it is important for newly prepared educators to be prepared in these same areas previously listed. Regarding credentialing, a few commenters suggested the Department include “dual certification,” and another commenter requested that the Department include a focus on two specific shortage areas: Dual credit educators and career and technical education educators. Another commenter recommended that subpart (b) include additional language to incentivize the recruitment and retention of certified educators in high-need schools.

Discussion: We agree with the importance of recruiting from the community for future educators as well as other programs that allow educators to balance college and career as they proceed through the preparation program. The priority as written supports these efforts. Applicants have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population. Likewise, there is nothing that precludes educator preparation programs from incorporating the areas discussed in the professional development section of the priority in these educator preparation programs. Regarding the request to identify specific credentialing programs in the priority, we do not think it is necessary to list specific credentials

beyond the shortage area language of the priority, as States and districts make determinations, based on local needs, of their shortage areas; however, we do agree that it is important to draw attention to dual certification as it may be used to help address shortage areas. In reviewing the priorities and the usage of “shortage areas” in relation to credentials, we noticed a discrepancy in usage; instead of “shortage areas,” Priority 2 refers to “high-need fields.” To be consistent, we will use “shortage areas” in both priorities. Regarding the comment on high-need schools, we do not think it is necessary to add language regarding educator placement in high-need schools, as proposed subpart (f) (now final subpart (g)) of Priority 3 focuses on building and expanding the educator workforce in districts with high rates of poverty.

Changes: In Priority 3 we are adding “or dual certification” after “certification” to subpart (b) of the priority. In Priority 2, subparts (b)(3) and (b)(4), we are changing “high-need fields” to “shortage areas.”

Comments: Multiple commenters offered recommendations related to financial incentives, supports, and compensation for educators. One commenter requested that we add a focus on expanding, in addition to implementing, loan-forgiveness programs under subpart (f). Another commenter recommended supports for educators related to licensure fees. A third commenter suggested that the priority address the cost of assessment fees for educators who commit to teach in a school district as well as licensure endorsements in leadership, coaching, and mentoring. Another commenter recommended that the term “compensation” include comprehensive benefits packages. Finally, one commenter, while recognizing that the priority focuses on underserved students, recommended we add in proposed subpart (e) (now final subpart (f)) a focus on financial incentives in high-need schools.

Discussion: We appreciate commenters’ recognition of the importance that financial incentives and compensation play in attracting and retaining educators. We agree that, along with implementing loan-forgiveness programs, Priority 3 should promote expanding loan-forgiveness programs. We do not agree, though, that subpart (e) should be limited to high-need schools, as diverse educators in all schools could benefit from loan-forgiveness and other programs based on their meeting service obligation requirements. We are aware of the costs associated with licensure and assessment fees and believe

comprehensive compensation can include coverage of these fees. In addition, proposed subpart (f)(2) (now final subpart (g)(2)), related to compensation systems, allows for inclusion of licensure endorsements and benefits packages and those applicants have the discretion to determine what compensation approach will best address the priority and meet the needs of the targeted population.

Changes: We have added a reference to expanding loan forgiveness programs to final subpart (f) of the priority.

Comments: Multiple commenters had recommendations for proposed subpart (f) (now final subpart (g)) of Priority 3. Commenters recommended adding charter schools in addition to high-poverty districts in proposed subpart (f), stating that with the hiring autonomy charter schools often have, charter schools that are a part of a local educational agency could be disadvantaged by not specifically being identified in the priority. One commenter also requested that we address, in proposed subpart (f), educator wellness and social and emotional health. Another commenter suggested a new subpart on educator involvement in change initiatives, to help support educator retention through educator engagement.

Discussion: We appreciate the commenters' recognition that the autonomies granted to charter schools include hiring processes and decisions; however, we do not agree that not specifically identifying charter schools would favor any other applicant over charter school within this subpart. As to adding an additional subpart on educator wellness and their social and emotional health, these issues are covered under Priority 1 and do not require a new subpart under Priority 3. We agree that focusing on educator retention through their involvement in change initiatives is important and aligns with the intent of the priority as it is a way to help support and ensure educator engagement and, in turn, improve retention.

Change: We have added a new final subpart (g)(4) on educator involvement in change initiatives which states increasing educator retention by providing opportunities for educators to be involved in the design and implementation of local and district wide initiatives that advance systemic changes.

Comments: A few commenters made recommendations about proposed subpart (f)(3) of Priority 3 related to data systems, with one commenter supporting the subpart and encouraging an emphasis on how well-designed data

systems inform student learning and working conditions. Another commenter requested the addition of a subpart focused on data sharing to inform curriculum for early learning education.

Discussion: We agree that using data to inform teaching, learning, and working conditions is important for schools and districts; however, we do not think it is necessary to add a subpart that is focused on data systems for human capital management. Applicants can consider how best to use data to inform applications in response to all the priorities, including priorities focused on COVID-19 and equity, as well as how best to share the data. This would not need to be explicitly included within the priority to allow for multiple methods to be used.

Change: None.

Comments: A few commenters supported proposed subpart (g)(1)(i) of Priority 3 and recommended that the subpart emphasize digital citizenship skills and competencies as well as student mastery of knowledge.

Discussion: We appreciate the support for this subpart and agree that an emphasis on instruction that is engaging, utilizes technology, and develops critical thinking skills is important. While digital citizenship skills and mastery of knowledge are important, this subpart is focused on the instructional component of learning, and we do not think it is necessary to add anything additional to the priority.

Changes: None.

Comments: Multiple commenters supported the list of key transitional stages in proposed subpart (g)(1)(ii) (now final subpart (h)(1)(ii)), with one commenter emphasizing the importance of the transition to work and ensuring that those transitioning to work have the necessary understanding of performance expectations in the workplace. Another commenter recommended adding early learning to the list, noting the importance of the transition from early learning to elementary schools, especially for English learners and children with disabilities.

Discussion: We agree that the successful transition to work requires that students and their families are equipped with the knowledge necessary for this transition, including an understanding of accountability systems. We think this knowledge of how we focus on accountability is embedded in this transition period and does not need to be specifically addressed. We also recognize that the transition from early learning to elementary school is critical, especially for some populations of students, but

since the priority is written to support transitioning into the setting included in the list, the transition from early learning to elementary school is covered under elementary school in what is now subpart (h)(1)(ii)(A).

Changes: Added "early learning" to what is now subpart (h)(1)(ii)(A).

Comments: One commenter suggested that proposed subpart (g)(1)(iii) of Priority 3 be expanded to include professional development for English learner specialists and general education educators with the intent of ensuring all educators are prepared to meet the needs of English learners.

Discussion: We agree that all educators should be prepared to meet the needs of English learners; however, given that subpart (h)(1) is focused on professional development, we do not think additional language is needed under (h)(1)(iii). The language of what is now (h)(1)(iii), which is unchanged from the proposed language in (g)(1)(iii), addresses professional development to meet the needs of English Learners; because it is worded broadly enough to encompass both specialists and general education teachers, additional language is not needed.

Changes: None.

Comments: Multiple commenters supported proposed subpart (g)(1)(iv) (now final subpart (h)(1)(iv)) of Priority 3 that specifically addresses meeting the needs of children or students with disabilities. In their support of the priority, one commenter recommended ensuring that new educators are made aware of the specific supports and processes in a district so that the educator is better prepared to serve children or students with disabilities. The commenter also recommended that, in meeting the needs of children or students with disabilities, educators should understand disabilities so that issues related to them are not misunderstood and treated as disciplinary issues. One commenter recommended adding language to include universal design for learning and evidence-based practices to the subpart. Another commenter recommended using the term "most significant cognitive disabilities" to align with the ESEA.

Discussion: We agree on the importance of meeting the needs of children or students with disabilities and agree on the importance of utilizing universal design for learning and evidence-based practices. Priority 3 includes universal design for learning in subparts (d) and (e), and Priority 2(a)(2)(i)(A) also incorporates it. We can apply an appropriate evidence level established in 34 CFR 75.226, and we

think that approach is preferable to adding “evidence-based” as suggested by the commenter in the specified subparts because it will allow the Department to tailor the evidence required to individual programs, as appropriate. We support the commenter’s recommendations that educators be made aware of district supports and processes and that educator preparation include better understanding of disabilities to prevent unnecessary discipline. The proposed priority supports these efforts. Applicants have the discretion to determine what approach or intervention will best address the priority and meet the needs of the targeted population. Lastly, we agree that there should be alignment, where possible, with appropriate statutes and therefore agree that the priority should refer to “students with the most significant cognitive disabilities.”

Changes: We have added “cognitive” after “most significant” in final subpart (h)(1)(iv) of Priority 3.

Comments: Under proposed subpart (g)(1)(v) (now final subpart (h)(1)(v)) of Priority 3, one commenter requested adding “ability” to the list of inclusive pedagogy to ensure that pedagogy also focuses on the needs of children or students with disabilities.

Discussion: We agree that inclusive pedagogy should include children or students with disabilities. To be consistent with other Department regulations with similar language, we are adding “disability status” to the list of inclusive pedagogy.

Changes: We have added “disability status,” to subpart (h)(1)(v).

Comments: One commenter recommended adding “underserved students” to the end of proposed subpart (g)(1)(viii) (now final subpart (h)(1)(viii)) of Priority 3 to focus the work in these classroom environments on this specific population.

Discussion: We agree that an emphasis on underserved students is important. Given the priority itself has a focus on underserved students, we do not think it is necessary to add underserved students to this subpart, as well.

Changes: None.

Comments: A couple of commenters had recommendations specific to assessments under proposed subpart (g)(2) (now final subpart (h)(2)) of Priority 3, including ensuring that assessments are not just one “high-stakes” assessment and that assessments used to gauge work readiness have a broader focus than just career and technical education, including being

performance-based, and align with State and industry standards.

Discussion: We appreciate commenters’ recognition that assessments should not just focus on end-of-year or other high-stakes assessments and that assessments should also more broadly look at the needs of all students. The proposed priority is not focused on high-stakes assessments alone. As to work readiness, while the subpart refers to career and technical education, these assessments, which are designed to measure student learning, can include other standards, such as State or industry standards. Applicants have the discretion to determine what assessments will best address the priority and meet the needs of the targeted population.

Changes: None.

Priority 4—Meeting Student Social, Emotional, and Academic Needs

Comments: Many commenters expressed support for Priority 4, stating that social and emotional learning is important to overall well-being. Several commenters strongly supported the priority and expressed agreement with the focus on trauma-informed pedagogy.

Discussion: We appreciate the support for this priority and agree with the commenters that meeting social and emotional needs is central to supporting students’ overall well-being.

Changes: None.

Comments: Several commenters commended the inclusion of experts and the systemic implementation of evidence-based practices in social and emotional learning. One commenter recommended the addition of the term “evidence-based” to subparts (b)(2), (b)(5), and (h). Another commenter urged the Department to review proposals that include a social and emotional learning component to build on the robust evidence base in the field of social and emotional learning and ensure that the evidence base is high quality. One commenter recommended that the Department focus on implementation of evidence-based practices in addition to the evidence supporting why a practice is effective and noted the need for access to technical assistance around implementation.

Discussion: We agree with the commenters on the importance of building and using evidence in this area. In addition to the use of these priorities, we can apply an appropriate evidence level established in 34 CFR 75.226, and we think that approach is preferable to adding “evidence-based” as suggested by the commenter in the

specified subparts because it will allow the Department to tailor the evidence required to individual programs, as appropriate. We agree that the efforts to support implementation of evidence-based practices are critical.

Changes: None.

Comments: Several commenters made suggestions for use of Priority 4 in the Department’s competitive grant programs. One commenter expressed support for this priority and encouraged the Department to maintain the focus on improving students’ social, emotional, academic, and career development, including through nutritional, mental health, school climate, and other supports. One commenter expressed support for the inclusion of this priority and encouraged the Department to work with the education community to include this priority into Federal programs. Another commenter supported the priority and argued that including this as a competitive preference priority in future grant competitions could help colleges expand these types of programs. Another commenter expressed support for the priority and urged flexibility within ESEA Title II and Title IV formula grant programs to support professional development to address social and emotional learning and evidence-based trauma informed practices. In addition, the commenter urged the Department to provide programmatic and financial resources to help States and districts implement and educate families and communities on trauma-informed and culturally relevant practices.

Discussion: We appreciate the input of these commenters. These priorities are intended to be a menu of options for the Department to use in our discretionary grant programs. As noted earlier, the Department may choose which, if any, of the priorities or subparts are appropriate for a particular program competition, as well as the selection criteria. If the Department chooses to use a supplemental priority, it will decide whether the priority will be used as an absolute, competitive preference, or invitational priority in the grant competitions. As these priorities capture policy areas of general importance for the Department, there are also related efforts to provide technical assistance and guidance related to formula grant programs.

Changes: None.

Comments: One commenter supported the emphasis on social and emotional needs and engagement recommended in Priority 4 and recommended incorporating these aspects of education into K–12 school

accountability frameworks. Another commenter recommended revising subpart (a) to include parents.

Discussion: We appreciate the commenters' points on aligning with school accountability frameworks and involving parents. Adding references to school accountability could focus the priority on K–12 education as school accountability is part of ESEA Title I, and these priorities are for all discretionary grants including those focused on postsecondary education. Family involvement is included in several subparts throughout the priority where we think their involvement is most applicable. As such, we decline to make these changes to keep the priority flexible.

Changes: None.

Comments: Several commenters articulated the connection between social and emotional well-being and academics, with some commenters stating that these skills are too often taught separately. One commenter highlighted that evidence supports that more explicitly pair social and emotional learning efforts with academic support can contribute to academic growth. Another commenter suggested specific additions to tie the connection between academics and social and emotional learning into a larger asset-based approach.

Discussion: We appreciate the commenters' arguments in favor of making the connection between social and emotional learning and academic support clear. We think that is best accomplished through the priority as written to enable the priority to be considered in a wider breadth of programs.

Changes: None.

Comments: Several commenters expressed support for the inclusion of partnerships in the priority. One commenter encouraged the Department to foster partnerships between educational institutions and mental health professionals, and another commenter noted the strong focus on community partners and trusting relationships. Another commenter noted that, in immigrant communities, there can be a level of fear and distrust of government agencies. Another commenter recommended that school-community partnerships supplement existing services and involve collaboration between community providers and existing school personnel (e.g., school psychologists, counselors, social workers).

Discussion: We appreciate the support from these commenters and agree that partnerships are important to include in this priority. Building trust with

communities is essential to having the partnerships achieve their intended outcomes. We agree that collaboration with existing school personnel is important and, to address each of the potential collaborators identified, are adding a definition for “educator” that includes the personnel identified by the commenter.

Changes: We are adding a definition of “educator” that includes the personnel identified by the commenter.

Comments: A commenter proposed adding language to subpart (b)(3) of Priority 4 that would include the diversity of stakeholders in engagement efforts to allow for meaningful representation in decision-making.

Discussion: We appreciate and agree with the commenter's point that engagement efforts should include individuals from diverse backgrounds who are representative of the community.

Changes: We are rephrasing subpart (b)(3) so that it reads, “Engaging students (including underserved students), educators, families, and community partners from diverse backgrounds and representative of the community as partners in school climate review and improvement efforts.”

Comments: Some commenters recommended revising subpart (b)(4) of Priority 4 to refer to applicants involving educators in decision-making, including in such areas as establishing school discipline procedures. One commenter recommended incentivizing the elimination of zero tolerance and exclusionary disciplinary practices while also prioritizing the development and implementation of culturally informed discipline policies. One commenter asked to add to Priority 4 a reference to specialized training for educators and administrators on school discipline, restorative practice, trauma-informed environments, and implicit bias. Another commenter recommended addressing in subpart (b)(4) how positive parent and family interaction with the schools can be helpful in addressing negative discipline styles. One commenter recommended applying this priority to the competitions within the CSP.

Discussion: We agree that educators should be involved in establishing disciplinary practices and that related training is important. We believe that it is important to advance culturally informed discipline practices as noted in the priority, which we expect would incentivize the reduction or elimination of zero tolerance policies and exclusionary practices. In response to the comment related to using this

priority in the CSP program, if the Department chooses to use a supplemental priority, it also will decide whether the priority will be used as an absolute, competitive preference, or invitational priority in a grant competition. We also agree that positive parent and family interaction is valuable and believe that this is also addressed within Priority 1 and Priority 2.

Changes: We are revising subpart (b)(4) of Priority 4, by involving educators, students, and families, in decision-making about discipline procedures and providing training and resources to support educators.

Comments: Several supported the focus of subpart (b)(4) of Priority 4 on the disproportionate use of discipline towards students with disabilities, especially students of color with disabilities, and concerns that such students should not lose instructional time. One commenter emphasized the need to move away from discriminatory discipline policies toward evidence-based policies that create safe and inclusive environments.

Discussion: We appreciate the support of these commenters and agree with the importance of examining discipline policies.

Changes: None.

Comments: One commenter supported the Department's focus in subpart (b)(5) of Priority 4 on real-world, hands-on learning to address student needs, noting this approach will help students build technical and essential employability skills and social capital. Two other commenters proposed modifications to subpart (b)(5). One commenter suggested including family service learning in this subpart, noting the value of a multi-generational approach to addressing the needs of a community. Another commenter suggested that the Department provide incentives to connect work-based learning to career-focused instruction, along with other strategies, to increase college and career readiness.

Discussion: We agree that real-world, hands-on learning opportunities should be connected to instruction to bolster college and career readiness. While family service learning would be an appropriate strategy in some programs and communities, there may be situations where it is not practicable or aligned with program goals. Thus, we decline to make that change.

Changes: We have revised subpart (b)(5) of Priority 4 to clarify that real-world, hands-on learning opportunities should also be aligned with instruction.

Comments: One commenter expressed general support for subpart (d). Another

commenter suggested adding “linguistically inclusive practices” in addition to trauma-informed practices within the subpart.

Discussion: In designing a grant competition, the Department may choose to use one or more subparts in a particular grant competition. Subpart (c)(3) refers to the diversity of evidence-based professional development and as linguistically inclusive practices were identified as an element of the diverse practices; we believe that it could be coupled with this subpart to have an effect similar to the commenter’s suggestion.

Changes: None.

Comments: One commenter expressed support for subpart (f). Another commenter recommended adding “and accessible” after “physically healthy,” citing a U.S. Government Accountability Office (GAO) study related to school buildings and physical barriers to people with disabilities. The commenter urged the Department to include physical accessibility in improvements to school infrastructure. Another commenter suggested strengthening the various sections of this priority by recognizing the physical and mental health needs of young children.

Discussion: We agree with the commenter on the need to ensure that school buildings are accessible to persons with disabilities. The Department’s regulations implementing, in compliance with the requirements of Section 504 of the Rehabilitation Act of 1973, which prohibits disability discrimination in federally assisted programs and activities, contain requirements applicable to the physical accessibility of facilities and the accessibility of recipients’ programs or activities. Recipients of Federal funds from the Department are required to comply with these regulations, which ensure that persons with disabilities are not discriminated against because a recipient’s facilities are inaccessible to or unusable by persons with disabilities. In addition to Section 504’s requirements, the Department of Justice regulations implementing Title II of the Americans with Disabilities Act prohibit disability discrimination by State and local governmental entities (Title II) regardless of their receipt of Federal funds. The Title II ADA regulations also contain accessibility requirements to ensure nondiscrimination. The Department’s Office for Civil Rights enforces Section 504 and, in the education context, shares in the enforcement of Title II with the Department of Justice to ensure accessibility and equal opportunity for individuals with disabilities. We believe

that the needs of young children are addressed through the inclusion of early learning settings in this priority, so a change is not needed.

Changes: None.

Comments: Some commenters expressed general support for subpart (g) with one noting that, as schools reopen, the capacity to address students’ mental and emotional well-being is imperative. Another commenter urged the Department to indicate that the services provided must be linguistically and culturally responsive. Another commenter suggested explicitly using the terms “school social worker,” “school psychologist,” and “school counselors” and “other school-based mental health service professionals” as defined in ESEA. Another commenter expressed appreciation for the inclusion of the language “social workers, psychologists, counselors, nurses, or mental health professionals and other integrated services and supports, which may include in early learning environments,” and requested the inclusion of the full range of specialized instructional support personnel in supporting students’ social and emotional learning.

Discussion: We agree with adding that services provided should be inclusive, including but not limited to linguistic and cultural inclusivity. We also agree that school-based mental health service professionals and specialized instructional support personnel are important partners in providing these services and believe that the language of the priority is flexible enough to incorporate their work in settings where they are working with students. We decline to be more specific in this subpart so as not to unintentionally exclude services from the priority settings that are not based in an elementary or secondary school.

Changes: We have revised subpart (g) of Priority 4 to state that services provided should be inclusive with regard to race, ethnicity, culture, language, and disability status.

Comments: One commenter suggested that work-based learning be included in subpart (h) of Priority 4, as it is an impactful form of experiential learning that allows learners to acquire hands-on skills and view firsthand what occurs in the professional setting of their interest.

Discussion: We agree with the commenter regarding the value of work-based learning and think that experiential learning includes work-based learning. Therefore, we decline to specifically add work-based learning to the subpart.

Changes: None.

Comments: One commenter recommended adding adult learning to subpart (j) of Priority 4 and another commenter urged the Department to include language to explain that services provided should be comprehensive, and linguistically and culturally responsive.

Discussion: We agree with the recommended additions of adult education and inclusivity to fostering partnerships with multiple entities.

Changes: We have added “adult learning providers” to the list of types of organizations that provide services under subpart (j). In addition, we have revised this subpart to include approaches that are inclusive with regard to race, ethnicity, culture, language, and disability status.

Priority 5—Increasing Postsecondary Education Access, Affordability, Completion, and Post-Enrollment Success

Comments: Several commenters expressed their support for Priority 5. Two commenters expressed appreciation for the focus on transfer pathways while another commenter appreciated the focus on creating student-centered flexible systems of support. Another commenter supported the priority and noted that it could be used in competitions to help students access comprehensive educator preparation programs, and another commenter who supported this priority noted that it could be relevant to programs that support the early childhood workforce. One commenter expressed support for the Department’s inclusion of adult learners in Priority 5. Two commenters applauded the priority’s focus on establishing partnerships with HBCUs, TCUs, MSIs and community colleges. Three commenters expressed support for the priority and recommended that the Department consider using this priority in specific competitions, including the Education Innovation and Research program as well as in programs administered by the Office of Career, Technical, and Adult Education. Two commenters strongly supported subparts (i) and (j) of the priority, with one commenter expressing support for subpart (j) for its focus on evidence-based strategies and further suggested that the Department define “evidence-based strategies” to include strategies that meet the promising evidence definition from the ESEA as well as strategies based on research that use random assignment or quasi-experimental research methods.

Discussion: We appreciate the support for this priority and agree with the

commenters about the importance of including each of these topic areas within Priority 5. Although we do not set priorities for specific competitions in this notice, we appreciate hearing feedback from commenters regarding alignment between these priorities and particular programs. We also agree that it is important to emphasize the use of evidence-based practices throughout Department grant programs. The term “evidence-based” is defined consistent with the definitions of the term in 34 CFR 77.1 and section 8101(21) of the ESEA (depending on the authorization of the program that uses the term) and includes strategies based on promising evidence as well as research that meets higher evidence standards such as moderate evidence and strong evidence. Strategies that align with the demonstrates a rationale definition also align with the evidence-based definition, so we decline to specify a particular level of evidence in the priority.

Changes: None.

Comments: One commenter made several suggestions that they think would improve Priority 5, including partnering with students, providing guidance on creating student-centered, individualized plans for college readiness, ensuring best practices and resources are allocated towards marginalized students, and establishing partnerships with the private sector to promote career and mentorship opportunities. Another commenter noted the priority’s alignment to the purpose of the Federal TRIO programs. The commenter also expressed support for the goal of a diverse educator workforce and suggested the TRIO-Student Support Services program, with its focus area on teacher preparation, could serve as a helpful lever for achieving this goal.

Discussion: We thank the commenter for their suggestions and agree that these are helpful points of emphasis. However, we believe that they are already broadly addressed within the priority through the descriptions in each subpart of Priority 5 of project design for traditionally underserved students. As stated previously, the Department does not set priorities for any particular grant program through this notice, but appreciates the commenter’s perspective on opportunities for applying them.

Changes: None.

Comments: One commenter suggested adding a new subpart to the priority that would support the development and implementation of comprehensive transition and postsecondary programs for students with intellectual disabilities to promote these programs that were

authorized in the 2008 reauthorization of the Higher Education Act of 1965, as amended (HEA).

Discussion: We thank the commenter for highlighting the needs of this important population of students and agree with the concern that Priority 5 could be more inclusive of postsecondary students with intellectual disabilities which, in turn, could assist these students in accessing services provided through a wider range of Department grant programs.

Changes: We have added subpart (l) to Priority 5 to support the development and implementation of comprehensive transition and postsecondary programs for students with intellectual disabilities under the HEA.

Comments: One commenter recommended adding language to Priority 5 to note that the project’s goal should be to help increase employability and access to quality jobs that provide a living wage, strong workplace standards, and work-family supports.

Discussion: We share the commenter’s perspective on the importance of these goals. We agree that increasing employability and access to quality jobs are priorities that we consider within a broader category of post-graduate outcomes.

Changes: We have added “and post-college outcomes” to subpart (d) after “completion”.

Comments: One commenter suggested that the Department add an additional priority area to encourage applicants to conduct equity audits, which are internal reviews of policies and practices to identify those that fail to effectively serve underrepresented students. The commenter expressed that these audits can address a range of issues such as admissions and financial aid, counseling services on campus, instructor diversity, and accessibility for students with disabilities to inform reforms.

Discussion: We appreciate the commenters’ suggestions. We recognize that equity audits are one important strategy to promote equity and do not want to limit the field’s approaches. However, we do not think it is appropriate to add an additional priority as the Department has monitoring protocols to ensure that applicants that receive awards comply with the requirements of the competition. Those requirements vary across program offices, but grant recipients must comply with them. We believe these requirements would address many of the concerns raised by the commenter.

Changes: None.

Comments: One commenter suggested adding the term “evidence-based” to subparts (b), (c), and (h) of Priority 5 to encourage applicants to propose to implement evidence-based strategies in these areas.

Discussion: We agree with this commenter on the importance of promoting the use of evidence-based practices to promote postsecondary student outcomes. We also note that in any competition, the Department already has the authority to combine any of these priority subparts with a particular evidence standard established in 34 CFR 75.226. This flexibility allows the Department to tailor the evidence required to individual programs, as appropriate.

Changes: None.

Comments: One commenter expressed particular concern that Priority 5 does not mention the word “parent” or “family,” noting that many youth and young adults in post-secondary programs are still supported by their parents and families. The commenter suggested revising the priority to include a focus on helping parents to support their youth/young adults in accessing and completing higher education.

Discussion: We agree with the notion that many students rely on the support of their families as they progress into and through their postsecondary programs. We note that none of the language in this priority would preclude applicants from proposing projects that support parents of postsecondary students if providing such support is allowable in a specific Department grant program.

Changes: None.

Comments: One commenter expressed the desire to add a new subpart to Priority 5 related to providing secondary students access to career exploration and/or career advisement so that they are aware of postsecondary opportunities aligned with their academic and career goals, and the steps and supports necessary for that college and career path.

Discussion: We thank the commenter and agree that using evidence-based approaches to assist students with career exploration prior to college matriculation can be essential to putting students on a career pathway. Although we note that final subpart (f) includes a focus on career services, we agree with the commenter that a targeted subpart focusing on providing secondary students with career exploration and advisement opportunities is a valuable addition to these priorities.

Change: We have revised Priority 5 by adding a new subpart (m) that to

prioritize projects that provide secondary school students with access to career exploration and advising opportunities to help them make informed decisions about their postsecondary enrollment and place them on a career path.

Comments: One commenter urged the Department to include language within this priority that acknowledges the large share of adult learners who face challenges such as low and very low levels of formal education, limited English proficiency, high rates of poverty, and employment in low-skilled jobs. The commenter recommended that they receive equitable access to adult education services that are responsive to their needs.

Discussion: We appreciate the recommendation by the commenter and agree that many adult learners face challenges. We have addressed those challenges by focusing on adult learners in final subpart (f). Therefore, we think that the inclusion of additional language would be redundant.

Changes: None.

Comments: One commenter supported the Department's commitment to accessible and affordable higher education but recommended that the Department modify Priority 5 to include support for efforts to lower barriers to obtaining graduate education, particularly for fields experiencing critical shortages, such as school psychology.

Discussion: We appreciate the comment, but we do not think a separate focus on assisting students in attaining graduate degrees is necessary. The Department's Office of Postsecondary Education administers a number of programs that are specifically designed to support students in pursuing graduate education, such as: The TRIO-Ronald E. McNair Postbaccalaureate Program, which is designed to provide assistance to help low-income and first generation college students pursue doctoral degrees; the Graduate Assistance in Areas of National Need program, which provides grants to assist students in pursuing graduate degrees in specific areas of national need; the Doctoral Dissertation Research Abroad program, which provides funding to support individual doctoral students to conduct research abroad in modern foreign languages and area studies; as well as various programs authorized by titles III and V of the HEA that are designed to expand the capacity of HBCUs, TCUs, and MSIs to offer graduate education opportunities.

Changes: None.

Comments: One commenter suggested the Department put a greater emphasis

on establishing partnerships through Priority 5 to effectively smooth transitions for students and reduce barriers. The commenter highlighted issues around delivery of early college credit and reducing the need for developmental education as examples. Another commenter suggested that the Department include specific references to early college credit and recommended that we emphasize the importance of developing college and career pathways systems.

Discussion: We thank the commenter for highlighting the importance of, and role of Department grant programs in, establishing partnerships to bridge divides in the educational landscape, including partnerships between secondary and postsecondary schools, as well as partnerships across postsecondary institutions. We believe final subpart (a) of Priority 5 creates clearer pathways for students between institutions by making transfer of course credits more seamless and transparent. We also think proposed subpart (a) of Priority 5 (which became final subpart (b) of Priority 2), which encourage partnerships involving HBCUs, TCUs, and MSIs, as well as Priority 6, which provides the Department with the ability to require or encourage partnerships across Department competitions, address this concern. Regarding the comment about early college credit, we believe that final subpart (h) would allow for the inclusion of such a program.

Changes: None.

Comments: One commenter recommended adding adult education programs as a fifth category of prioritized institutions in proposed subpart (a) of Priority 5; another commenter suggested adding career and technical education schools as an additional category of prioritized institutions.

Discussion: We appreciate the commenters' recommendations and have included both categories in what was subpart(a) of Priority 5 in the NPP. To ensure better application of this subpart, we have moved it to subpart (b) in Priority 2 in this NFP.

Changes: We have included adult education and career and technical education in Priority 5 subpart (b).

Comments: One commenter suggested that instead of focusing on underserved students at community colleges, HBCUs, TCUs, and MSIs, the Department should instead focus on addressing inequities at well-resourced and highly selective colleges and universities. The commenter further suggested that this priority would further encourage well-resourced institutions to continue

recruiting wealthier, high-achieving white students and noted concern regarding low enrollment rates of underserved students at well-resourced institutions.

Discussion: We think that enrollment rates of students from low-income backgrounds are too low across the board, and we agree that there is much work to be done to increase racial and economic diversity in postsecondary education, including at well-resourced and highly selective institutions. We note that multiple subparts within this priority are focused on increasing the number of underserved students who succeed in postsecondary education, regardless of the type of institution. For example, final subpart (b) would give priority to applicants that propose to increase the number and proportion of underserved students who enroll in and complete postsecondary education programs, regardless of whether the institution is well-resourced or under-resourced. The Department also recognizes, however, that HBCUs, TCUs, MSIs and community colleges educate a disproportionate number of underserved students, and as a result, any effort to improve postsecondary outcomes for underserved students must include targeted support to these institutions. We have moved references to targeting support to these institutions, including through establishing partnerships with well-resourced institutions and other organizations, to subpart (b) in Priority 2.

Changes: None.

Comments: One commenter expressed general support for subpart (c) of Priority 5.

Discussion: We appreciate the support for the subpart.

Changes: None.

Comments: One commenter expressed support for the inclusion of "Post-enrollment Success" in the title of Priority 5, but this commenter suggested modifications to highlight career readiness throughout the priority. Specifically, regarding subpart (e), this commenter suggested adding post-graduate outcomes to the list of student outcomes. The commenter suggested several ways the Department could define post-graduate outcomes, such as graduate school matriculation, as well as several metrics that could be used to characterize a strong first job.

Discussion: We appreciate the recommendations and think that post-enrollment broadly includes any point on a student's trajectory. We agree that there are many ways to define post-graduate outcomes and that adding post-graduate outcomes would be beneficial to add to the range of data identified as

post-enrollment outcomes. Including these data would allow a more coherent sense of what is meant by success than simply ending with graduation.

Changes: We have added post-college outcomes to the subpart, which is now designated as subpart (d).

Comments: One commenter strongly supported proposed subpart (e).

Discussion: We appreciate the support for the proposed subpart, which is now final subpart (d). We agree that a system of high-quality data will benefit students.

Changes: None.

Comments: One commenter suggested requiring alignment of data-related efforts to statewide goals (e.g., for postsecondary attainment) with a focus on measuring equity gaps and identifying strategies for ongoing monitoring and accountability.

Discussion: We appreciate the commenter's suggestion and note that there are current data collections from other areas within the Department that focus on equity gaps. Additionally, the Department is required to monitor grantees and do so in a myriad of ways; therefore, we will not be adding this language to the priorities.

Changes: None.

Comments: One commenter emphasized the importance of ensuring that undergraduate students have access to coursework and activities that prepare them for the workforce. This commenter further noted the importance of providing high-quality career preparation to undergraduate students across all majors and programs of study. This commenter suggested that the Department add "Credit-bearing academic undergraduate courses focused on career," after "career services" in proposed subpart (f) of Priority 5.

Discussion: We appreciate the recommendation of the commenter and agree that there is a need for undergraduate students to have access to coursework and activities that prepare them for the workforce. We included structured/guided pathways within the priority to ensure that guardrails are provided for students and agree that the inclusion of the recommended language would be helpful to ensure that students were not just given guardrails, but also taking necessary classes within their major to avoid spending unnecessary time and money.

Changes: We have revised proposed subpart (f) to include "credit-bearing academic undergraduate courses focused on career" after "career services" in what is now final subpart (e).

Comments: One commenter suggested connecting efforts around integrated approaches with college and career pathway system development, including guided pathways and career and technical education and bridge programming that can accelerate students in subpart (f) of Priority 5.

Discussion: We appreciate the commenters' suggestions and agree that creating clear connections is beneficial to students. We believe that these connections are already included in the priority.

Changes: None.

Comments: One commenter recommended that the Department revise proposed subpart (g) (now final subpart (f)), which focuses on increasing the number of individuals who return to the educational system, to specifically recognize those individuals who return to the educational system to gain English language skills and/or to integrate into society.

Discussion: We appreciate and agree with this comment and recognize the unique challenges for English learners who return to the educational system.

Changes: In an effort to increase the number of English learners who return to the educational system to gain English language skills, we have added English language learning in subpart (f) of Priority 5.

Comments: One commenter expressed support for proposed subpart (h). This commenter appreciated that the language provides applicants flexibility to integrate multiple approaches to supporting learners.

Discussion: We appreciate the support for the proposed subpart, which is now subpart (g) in this NFP, and agree that multiple approaches to delivering instruction to students are necessary, depending on the context. We also agree that Priority 5 affords applicants the flexibility to combine multiple approaches to best support students.

Changes: None.

Comments: One commenter expressed support for the inclusion of work-based learning in proposed subpart (h) (now final subpart (g)) of Priority 5, stating that work-based learning is essential to creating an equitable and racially just economic recovery. The commenter also suggested that work-based learning must be year-round and layered into all levels of education. This commenter suggested adding a new subpart focused on building community capacity to develop or strengthen effective career readiness programs by supporting cross-system collaborative partnerships composed of leaders from education, workforce, government, social services, philanthropy, and the private sector to

provide work-based learning opportunities and high-quality college and career pathways.

Discussion: We appreciate the commenter's support for the inclusion of work-based learning and agree that partnerships are important components of this work; however, we address cross-agency and entity partnerships in Priority 6 and work-based learning in Priority 2, which may be used in combination with this priority, so no changes are needed.

Changes: None.

Comments: One commenter recommended the Department implement career and technical education models that are grounded in labor market information and aligned from secondary through postsecondary education.

Discussion: We appreciate the recommendation and believe that proposed subparts (i) and (j) (now final subparts (h) and (i)), which focus on the use of evidence-based strategies, would ensure that current and proven models would be used that could include labor market information but is not restricted to that data source. Therefore, we have not included this additional language.

Changes: None.

Comments: One commenter supports the focus in proposed subpart (k) (now final subpart (j)) of Priority 5 on the transitional phase from high school to adulthood, especially the subpart that would prioritize applications that connect students and adults with disabilities with transition services under the Vocational Rehabilitation program or the IDEA.

Discussion: We appreciate the support for subpart (j) and agree with the importance of the inclusion of transition services under the Vocational Rehabilitation program and the IDEA.

Changes: None.

Comments: One commenter recommended adding language to subpart (j) of Priority 5 that expressly supports full participation and inclusion in postsecondary institutions, pre-apprenticeship programs, apprenticeships, and other workforce training. The commenter cited the need for additional attention for such programs to become consistent pathways to employment for individuals with disabilities. Another commenter suggested modifying subpart (j) to include language that extends eligibility for services for students with disabilities nearing age 22. The commenter noted the need to extend eligibility of individuals for these services given the learning loss due to COVID-19. Multiple commenters also referred the Department to comments

made by another commenter to broaden this priority to ensure it is inclusive of all students with disabilities.

Discussion: We appreciate the commenter's recommendations and agree that it is important to ensure that the transition of services fully encompasses the intended outcomes and recipients. We agree that education outcomes are relevant, and that inclusion of that edit strengthens the subpart. Under Part B of the IDEA, a free appropriate public education (FAPE) must be made available to all children with disabilities residing in the State within the State's mandated age range for the provision of FAPE. Entitlement to FAPE begins at a child's third birthday and could last until the child's 22nd birthday, depending on State law or practice, which would render the second requested edit redundant.

Changes: We are adding "or education" after "employment outcomes" in final subpart (j).

Priority 6—Strengthening Cross-Agency Coordination and Community Engagement To Advance Systemic Change

Comments: Many commenters expressed general support for Priority 6 and its emphasis on interagency collaboration. Commenters noted this priority acknowledges that schools are frequently the center of the community for students and families, and that strong family and community engagement is associated with improved student outcomes.

Discussion: We appreciate the support for the priority and agree with these comments on the central role school's play.

Changes: None.

Comments: Several commenters expressed support for using this priority in different ways. One commenter advocated for making this a foundational priority across all grants. Another commenter recommended the Department prioritize partnerships that align with guidance developed by the Institute for Educational Leadership, the Coalition for Community Schools, and the National Association of School Psychologists.

Discussion: We appreciate these comments and note that several components of this priority are aligned with the community school's model. If the Department chooses to use the supplemental priorities, it also has discretion to decide how the priorities should be used in the grant competitions.

Changes: None.

Comments: One commenter suggested facilitating cross-agency budgeting and

resourcing to ensure basic educational needs are being met.

Discussion: We appreciate this comment and recognize the importance of examining budgeting. We think the priority as written allows for this inter-agency budgeting and resourcing.

Changes: None.

Comments: One commenter expressed support for Priority 6 and suggested modifying the language to explicitly include philanthropy and the private sector more generally.

Discussion: We appreciate the commenter's focus on philanthropy and the private sector. We believe that community engagement can include philanthropy and the private sector, and subpart (c) focuses on partnerships that include an array of partners, including local nonprofit organizations, businesses, and philanthropic organizations. As such, we do not think any changes to the priority are necessary.

Changes: None.

Comments: One commenter suggested adding afterschool and summer programs to the list of needs to address included in subpart (a) of Priority 6.

Discussion: We believe that some specific services provided through afterschool and summer programs could be addressed through the activities already included on this list, including key field-initiated focus areas. In addition, afterschool and summer programs are included in other priorities, which could be used in combination with this one in a particular grant competition.

Changes: None.

Comments: One commenter suggested adding legal services to the list of issues to address through the coordinated efforts among Federal, State, or local agencies, or community-based organizations that support students under subpart (a), as these are often a key area of need for diverse groups of underserved students.

Discussion: We appreciate this comment. However, we think these services may already be within the scope of this priority as well as grant programs administered by other Federal agencies.

Change: None.

Comments: Several commenters recommended adding mental health or clarifying that health includes mental health.

Discussion: The Department appreciates the point made by these commenters and agrees with the important addition of mental health.

Changes: We are revising subpart (a)(7) to read: "Health, including

physical health, mental health, and behavioral health and trauma."

Comments: A commenter suggested specifying that school diversity includes student and educator diversity.

Discussion: We agree that this specificity around diversity is helpful.

Changes: We are adding "including student and educator diversity" to subpart (a)(9).

Comments: One commenter expressed support for the inclusion of workforce development in subpart (a)(11). This commenter further indicated that workforce development should be interpreted to include career preparation for undergraduate students at four-year institutions. Another commenter suggested revising this subpart to refer to college readiness, workforce development and civic life.

Discussion: We appreciate the recommendations as we agree that each of these areas of college and career readiness is critical, and especially agree that referring to college readiness and civic engagement would be beneficial towards the goal of advancing systemic change. Workforce development is already included in this subpart.

Changes: We have revised subpart (a)(11) through (13) to also include college readiness and civic engagement.

Comments: Two commenters recommended that the Department add a new subpart allowing use of funds for infrastructure, citing a June 2020 report from the Government Accountability Office¹ saying that 54% of schools have major systems that need replacing.

Discussion: We agree with the importance of investing in school infrastructure. Issues related to healthy learning environments are emphasized in subpart (f) of Priority 4.

Changes: None.

Comments: One commenter recommended changing subpart (a)(16) to Adult Education and Literacy and moving content in subpart (a)(16) to (a)(17).

Discussion: We will renumber to ensure alignment.

Changes: We have adjusted the numbering of the subpart to include adult education and literacy in (a)(19).

Comments: One commenter expressed support for the inclusion of nonprofit organizations in subpart (c). This commenter noted that because nonprofits are nimble, they can be invaluable partners in Department of Education grants.

Discussion: We agree that nonprofit organizations can be very valuable partners and note that they may be

¹ <https://www.gao.gov/products/gao-20-494>.

included within the subpart as currently written.

Changes: None.

Comments: One commenter who expressed support for this priority overall, articulated particular support for subpart (d). The commenter urged the Department to use this priority in future competitions of the CSP National Dissemination grant. The commenter went on to say that this priority could support accessibility and equity issues in both the National Dissemination and State Entities grant programs.

Discussion: We appreciate the commenter's suggestion on how the funds should be used. These priorities are intended as a menu of options for our discretionary grant programs. The Department may choose which, if any, of the priorities or subparts are appropriate for a particular program competition, as well as the appropriate level of funding and selection criteria. If the Department chooses to use a supplemental priority, it will decide whether the priority will be used as an absolute, competitive preference, or invitational priority in a grant competition, as well as the appropriate level of funding and selection criteria, which may include peer-to-peer learning models.

Changes: None.

Definitions

Comments: One commenter supported, in general, the clarity that the definitions offer.

Discussion: We appreciate the support for the definitions and think that they will ensure clarity in the use of the priorities.

Changes: None.

Comments: Multiple commenters recommended adding a definition of "technology," including their own proposed definitions that were intended to help ensure aligning with Federal laws.

Discussion: While we appreciate all the commenters' suggestions, we recognize that the definition of technology is continually changing and therefore could create an obsolete definition upon programmatic use. Lastly, the NPP already included the following language to ensure compliance with Federal laws: "Additionally, regarding each technology reference, all technology developed or used under these proposed priorities must be accessible to English learners, in addition to individuals with disabilities . . ."

Changes: None.

Comments: One commenter requested that we include a definition of identity-safe learning environments.

Discussion: While we appreciate the commenter's suggestions, we recognize that the definition of identity-safe is parallel to language within priorities (2)(a)(2)(v) and (4)(b) and (c) that specifically speaks to supporting teachers in creating safe, healthy, inclusive, and productive classroom environments.

Changes: None.

Comments: One commenter proposed definitions of "competency-based" and "high-quality systems of assessments."

Discussion: We thank the commenter and have already included a definition of "competency-based education," which includes mastery of knowledge and skills, and a definition for "high-quality systems of assessments."

Changes: None.

Comments: One commenter asked that we include definitions of "social and emotional learning," and another commenter noted that social and emotional learning remains under-defined in Federal law and policy and that it should be more explicitly defined.

Discussion: We appreciate the request, and we recognize that the definition of social and emotional learning is continually changing and therefore could create an obsolete definition upon programmatic use.

Changes: None.

Comments: One commenter requested that the definitions of "career and technical education," "work-based learning," and "area career and technical education school" be included in the final definitions.

Discussion: These are definitions that are included in the Workforce Innovation and Opportunity Act (WIOA) for programs authorized by that statute, and therefore would not need to be included within these priorities.

Changes: None.

Comments: One commenter recommended definitions for "learning model" and "whole-learner approaches."

Discussion: We appreciate the recommendations from the commenter and note that these terms are not used within the priorities and therefore do not need to be defined.

Changes: None.

Comments: One commenter asked the Department to add the following language to the definition of children or students with disabilities: "And which includes children or students with the most significant cognitive disabilities" to explicitly identify this subgroup of students with disabilities.

Discussion: We appreciate the commenters' focus on children or students with the most significant

cognitive disabilities. However, we are not changing the definitions used in this NFP because they are the definitions of a "child with a disability" and "student with a disability" in section 602(3) of IDEA and its implementing regulations at 34 CFR 300.8 and section 7(37) of the Rehabilitation Act of 1973 and 34 CFR 361.5(c)(51) of the Vocational Rehabilitation program regulations, respectively.

Changes: None.

Comments: One commenter encouraged the Department to expand the definition of "competency-based education" by incorporating seven components that are student focused.

Discussion: The definition of competency-based education as currently written is in alignment with other Department rules, and as such, we are not making any changes to the definition.

Changes: None.

Comments: Instead of just early learning, one commenter recommended defining "high quality early learning."

Discussion: The current definition of "early learning" includes a variety of early learning settings, and the quality piece of the early learning is established by the regulator for the early learning program.

Changes: None.

Comments: One commenter suggested using, as a definition, the term "Emergent Bilingual or Multilingual Learner" instead of "English Learner" to emphasize language as a valuable skill rather than a limit.

Discussion: The Department wholeheartedly agrees with an asset-minded approach to language learners and will adopt such an approach where appropriate and when concepts are not tied to a specific term in a governing statute or regulation. The term English learner is defined in both the ESEA and the WIOA, which govern many of our grant programs. Therefore, we did not make changes to the definition of English learner.

Changes: None.

Comments: One commenter had strong support for the definition of "evidence-based."

Discussion: We appreciate the support for the definition and think that it will ensure clarity in the use of the priorities.

Changes: None.

Comments: One commenter expressed support for a definition of the term "high-quality assessment."

Discussion: We appreciate the support for the definition and think that it will ensure clarity in the use of the priorities.

Changes: None.

Comments: One commenter recommended edits to the definition of “high-quality assessment” so that assessments are part of a comprehensive assessment plan.

Discussion: We appreciate the commenter’s suggestions and agree that a comprehensive assessment plan benefits students by adding more clarity around the expectation of high-quality assessment systems. For this reason, we have modified the definition to broaden the scope of high-quality assessment.

Changes: We are making edits to the definition of high-quality assessment to include “interim” as part of the assessments, and that policymakers support students at the student, classroom, school, and system levels.

Comments: One commenter recommended adding the term “interim” to the list of high-quality assessments to ensure the definition is comprehensive and properly represents the field. The commenter highlighted that interim assessments can measure growth and provide information throughout a school year and that interim assessment results are comparable across classrooms and schools, so they can help districts and State leaders direct resources to where they are needed most. This same commenter recommended adding language to the definition describing the importance of the purpose when defining the assessment and how the assessment will be used.

Discussion: We thank the commenters for the suggestions and appreciate the recommendations and will include “interim” in the definition, in addition to “formative”, as they serve distinct purposes. Regarding the important use of the data from the assessments, we agree that there is a broader use that goes beyond the school and community. For this reason, we have modified the definition to strengthen the definition of high-quality assessment.

Changes: We have revised the definition for high-quality assessments by adding interim assessments to not only help parents, educators and caregivers, but to also help policymakers support students at the student, classroom, school and system levels.

Comments: One commenter appreciated the inclusion of children and students with disabilities in the definition of underserved student. Another commenter expressed support for this definition, in particular the focus on student caregivers. One commenter supported the specificity of the definition to help States and communities to be explicit about what equitable education systems include

and how they serve students from the lived experiences described in the priority. The commenter noted the inclusion of adults and student parents, and “a student performing significantly below grade level(s),” stating that inclusion of the latter acknowledges the role and responsibility of the system. One commenter appreciated the expansive and inclusive definition of underserved student. One commenter strongly supported the Department’s inclusion of (LGBTQI+) students; students of color; students who are members of Tribal communities; and students with disabilities.

Discussion: We thank the commenters for their overall support for the definition and appreciate that the inclusions to the definition are comprehensive and relevant.

Changes: None

Comments: One commenter asked that military- or veteran-connected students be added to the definition of underserved student.

Discussion: We appreciate the commenter’s suggestion. We agree with the recommendation to include the military- and veteran-connected student and had already included it as a separate definition but will also include it within the definition of underserved student as we believe that this is a group of students that has been underserved.

Changes: We have added military and veteran connected student to the category list of underserved students.

Comments: Three commenters recommended that the Department add students residing in Puerto Rico as additional definitions to the list.

Discussion: We do not believe it is appropriate to target any particular State or territory as funding from the Department’s discretionary grant programs may generally be used within any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Outlying Areas, and the tribal nations. We appreciate the second comment on adding a proposed subpart, and we agree that proximate involvement will help to identify community needs. We appreciate the commenter’s desire to include language specific to Puerto Rico.

Change: None.

Comments: One commenter asked that “questioning” be added to (i) (LGBTQI+) under the definition of underserved student.

Discussion: We appreciate the comment and agree that questioning is an important part of the acronym.

Changes: We have added “questioning” as a part of the definition of underserved student.

Comments: One commenter requested that the Department add unconnected students to the definition of underserved student, which includes students who do not have access to their own individual device or high-quality internet at home.

Discussion: We appreciate the commenter’s request and agree that there is a utility in including this group of students in the definition as the pandemic showed that students without access to the internet were unable to participate in learning.

Changes: We have updated the definition of “underserved student” to include technologically unconnected youth.

Comments: One commenter emphasized the importance of career readiness and encouraging projects focused on post-graduate outcomes and proposed a program that set undergraduates onto a path of strong economic opportunity.

Discussion: We agree that college and career readiness is important, and programs should have outcomes that set students onto a path of strong economic opportunity that could be through either a strong first job or matriculation into graduate school. We think that there is a clear emphasis on college and career readiness incorporated into the priorities and we do not reference specific programs within the priorities.

Changes: None.

Final Priorities

The Secretary establishes the following priorities for use in any Department discretionary grant program.

Priority 1—Addressing the Impact of COVID-19 on Students, Educators, and Faculty

Projects that are designed to address the impacts of the COVID-19 pandemic, including impacts that extend beyond the duration of the pandemic itself, on the students most impacted by the pandemic, with a focus on underserved students and the educators who serve them, through one or more of the following priority areas:

(a) Conducting community asset-mapping and needs assessments that may include an assessment of the extent to which students, including subgroups of students, have become disengaged from learning, including students not participating in in-person or remote instruction, and specific strategies for reengaging and supporting students and their families.

(b) Providing resources and supports to meet the basic, fundamental, health

and safety needs of students and educators.

(c) Addressing students' social, emotional, mental health, and academic needs through approaches that are inclusive with regard to race, ethnicity, culture, language, and disability status.

(d) Addressing educator, faculty, and staff well-being.

(e) Providing students and educators with access to reliable high-speed broadband and devices; providing students with access to high-quality, technology-supported learning experiences and ensuring these experiences are accessible to, interoperable, and usable by children or students with disabilities,² educators with disabilities, and English learners; and providing educators with access to job-embedded, sustained, and collaborative professional development, to support the effective use of technology.

(f) Using technology to enable evidence-based approaches to personalized student learning as well as evidence-based supplemental activities that extend learning time, such as comprehensive afterschool and summer learning and enrichment programs, and increase student and, where appropriate, parent engagement.

(g) Using evidence-based instructional approaches and supports, such as professional development, coaching, ongoing support for educators, high quality tutoring, expanded access to rigorous coursework and content across K–12, and expanded learning time to accelerate learning for students in ways that ensure all students have the opportunity to successfully meet challenging academic content standards without contributing to tracking or remedial courses.

(h) Using evidence-based instructional approaches or supports to assist individuals who did not enroll in, withdrew from, or reduced course loads in postsecondary education or training programs due to COVID–19 to enroll in, remain enrolled in, and complete credit-bearing coursework and earn recognized postsecondary credentials.

Priority 2—Promoting Equity in Student Access to Educational Resources and Opportunities

Under this priority, an applicant must demonstrate one or both of the following:

(a) The applicant proposes a project designed to promote educational equity

and adequacy in resources and opportunity for underserved students—

(1) In one or more of the following educational settings:

(i) Early learning programs.

(ii) Elementary school.

(iii) Middle school.

(iv) High school.

(v) Career and technical education programs.

(vi) Out-of-school-time settings.

(vii) Alternative schools and programs.

(viii) Juvenile justice system or correctional facilities.

(ix) Adult learning;

(2) That examines the sources of inequity and inadequacy and implement responses, and that may include one or more of the following:

(i) Rigorous, engaging, and well-rounded (e.g., that include music and the arts) approaches to learning that are inclusive with regard to race, ethnicity, culture, language, and disability status and prepare students for college, career, and civic life, including one or more of the following:

(A) Student-centered learning models that may leverage technology to address learner variability (e.g., universal design for learning (as defined in this notice), K–12 competency-based education (as defined in this notice), project-based learning, or hybrid/blended learning) and provide high-quality learning content, applications, or tools.

(B) Middle school courses or projects that prepare students to participate in advanced coursework in high school.

(C) Advanced courses and programs, including dual enrollment and early college programs.

(D) Project-based and experiential learning, including service and work-based learning.

(E) High-quality career and technical education courses, pathways, and industry-recognized credentials that are integrated into the curriculum.

(F) Science, technology, engineering, and mathematics (STEM), including computer science coursework.

(G) Civics programs that support students in understanding and engaging in American democratic practices.

(ii) Increasing the number and proportion of experienced, fully certified, in-field, and effective educators, and educators from traditionally underrepresented backgrounds or the communities they serve, to ensure that underserved students have educators from those backgrounds and communities and are not taught at disproportionately higher rates by uncertified, out-of-field, and

novice teachers compared to their peers.³

(iii) Improving the preparation, recruitment, and early career support and development of educators in shortage areas or hard to staff schools.

(iv) Improving the retention of fully certified, experienced, and effective educators in high-need schools or shortage areas.

(v) Pedagogical practices in educator preparation programs and professional development programs that are inclusive with regard to race, ethnicity, culture, language, and disability status so that educators are better prepared to create inclusive, supportive, equitable, unbiased, and identity-safe learning environments for their students.

(vi) Using technology to enable evidence-based approaches to personalized student learning in the classroom or support supplemental activities that extend learning time and increase student and, where appropriate, parent engagement.

(vii) Creating more equitable and adequate approaches to school funding, by doing one or more of the following:

(A) Aligning funding levels to students' diverse needs; or

(B) Sufficiently accounting for districts' differential access to local revenue given differences in local wealth and income levels.

(viii) Expanding access to high-quality early learning, including in school-based and community-based settings, by removing barriers through implementation of programs that are inclusive with regard to race, ethnicity, culture, language, and disability status.

(ix) Establishing, expanding, or improving learning environments for multilingual learners, and increasing public awareness about the benefits of fluency in more than one language and how the coordination of language development in the school and the home improves student outcomes for multilingual learners.

(x) Establishing, expanding, or improving the engagement of underserved community members (including underserved students and families) in informing and making decisions that influence policy and practice at the school, district, or State level by elevating their voices, through their participation and their perspectives and providing them with access to opportunities for leadership (e.g., establishing partnerships between civic student government programs and parent and caregiver leadership initiatives).

² In an NIA, the Department could use either "children with disabilities" or "students with disabilities," depending on which term is more appropriate for the program. In this document, we use these terms interchangeably.

³ All strategies to increase racial diversity of educators must comply with applicable law, including Title VI of the Civil Rights Act of 1964.

(xi) Improving the quality of educational programs in juvenile justice facilities (such as detention facilities and secure and non-secure placements) or adult correctional facilities.

(xii) Supporting re-entry of, and improving long-term outcomes for, youth and adults after release from juvenile justice system or correctional facilities by linking youth and adults to appropriate support, education, vocational rehabilitation, or workforce training programs.

(xiii) Increasing student racial or socioeconomic diversity, through one or more of the following:

(A) Using high-quality data collection methods to identify racial and socioeconomic stratification, trends in and contributors to stratification, and barriers to racial, ethnic, and socioeconomic diversity.

(B) Developing or implementing evidence-based policies or strategies that include one or more of the following:

(1) Ongoing, robust family and community involvement.

(2) Intra- or inter-district or regional coordination.

(3) Cross-agency collaboration, such as with housing or transportation authorities.

(4) Alignment with an existing public diversity plan that is evidence-based and designed to effectively promote diversity.

(5) School assignment or admissions policies that are designed to promote socioeconomic diversity and provide equitable access to educational opportunities for students from low-income backgrounds or students residing in neighborhoods experiencing concentrated poverty.

(C) Establishing or expanding schools, or programs within schools, that are designed to attract, and foster meaningful interactions among, substantial numbers of students from different racial and/or socioeconomic backgrounds, such as magnet schools.

(D) Developing evidence related to, or providing technical assistance on, evidence-based policies or strategies designed to increase inclusivity with regard to race, ethnicity, culture, language, and disability status.

(b) The project will be implemented by or in partnership with one or more of the following entities:

(1) Community colleges (as defined in this notice).

(2) Historically Black colleges and universities (as defined in this notice).

(3) Tribal Colleges and Universities (as defined in this notice).

(4) Minority-serving institutions (as defined in this notice).

(5) Career and technical education centers.

(6) Adult education.

Priority 3—Supporting a Diverse Educator Workforce and Professional Growth To Strengthen Student Learning

Projects that are designed to increase the proportion of well-prepared, diverse, and effective educators serving students, with a focus on underserved students, through one or more of the following priority areas:

(a) Increasing the number of diverse educator candidates who have access to an evidence-based comprehensive educator preparation program.

(b) Increasing the number of teachers with certification or dual certification in a shortage area, or advanced certifications from nationally recognized professional organizations.

(c) Identifying and addressing disparities among educator subgroups in graduation rates, passage rates for certification and licensure exams, successful employment, retention, and professional growth.

(d) Promoting knowledge of universal design for learning in educator preparation.

(e) Integrating universal design for learning principles in pedagogical practices and classroom features, such as instructional techniques, classroom materials and resources, and classroom seating.

(f) Implementing or expanding loan forgiveness or service-scholarship programs for educators based on completing service obligation requirements.

(g) Building or expanding high-poverty school (as may be defined in the program statute or regulations) districts' capacity to hire, support, and retain an effective and diverse educator workforce, through one or more of the following:

(1) Providing beginning educators with evidence-based mentoring or induction programs.

(2) Adopting or expanding comprehensive, strategic career and compensation systems that provide competitive compensation and include opportunities for educators to serve as mentors and instructional coaches, or to take on additional leadership roles and responsibilities for which educators are compensated.

(3) Developing data systems, timelines, and action plans for promoting inclusive and bias-free human resources practices that promote and support development of educator diversity.

(4) Providing opportunities for educators to be involved in the design

and implementation of local and district wide initiatives that advance systemic changes.

(h) Supporting effective instruction and building educator capacity through one or more of the following:

(1) Providing high-quality job-embedded professional development opportunities focused on one or more of the following:

(i) Designing and delivering instruction in ways that are engaging, effectively integrate technology, and provide students with opportunities to think critically and solve complex problems, apply their learning in authentic and real-world settings, communicate and collaborate effectively, and develop academic mindsets, including through project-based, work-based, or other experiential learning opportunities.

(ii) Supporting students and their families at key transitional stages in their education as they enter into one or more of the following:

(A) Early learning programs.

(B) Elementary school.

(C) Middle school.

(D) High school.

(E) Postsecondary education.

(F) Career and technical education.

(G) Work.

(iii) Meeting the needs of English learners.

(iv) Meeting the needs of children or students with disabilities, including children or students with the most significant cognitive disabilities.

(v) Addressing inequities and developing and implementing pedagogical practices that are inclusive with regard to race, ethnicity, culture, language, and disability status.

(vi) Building meaningful and trusting relationships with students' families to support in-home, community-based, and in-school learning.

(vii) For school leaders, improving mastery of essential instructional and organizational leadership skills designed to improve teacher and student learning.

(viii) Supporting teachers in creating safe, healthy, inclusive, and productive classroom environments.

(2) Developing and implementing high-quality assessments (as defined in this notice) of student learning (for example, curriculum-aligned and performance-based tools aligned with State grade-level content standards or, for career and technical education, relevant industry standards) and strategies that allow educators to use the data from assessments to inform instructional design and classroom practices that meet the needs of all students and providing high-quality

professional development to support educators in implementing these strategies.

(i) Increasing educator capacity to collaborate with diverse stakeholders to carry out rapid cycle evaluation, design-based research, improvement science, or other rapid cycle techniques to design, develop, or improve promising innovations that are designed to benefit underserved students.

Priority 4—Meeting Student Social, Emotional, and Academic Needs

Projects that are designed to improve students' social, emotional, academic, and career development, with a focus on underserved students, through one or more of the following priority areas:

(a) Developing and supporting educator and school capacity to support social and emotional learning and development that—

(1) Fosters skills and behaviors that enable academic progress;

(2) Identifies and addresses conditions in the learning environment, that may negatively impact social and emotional well-being for underserved students, including conditions that affect physical safety; and

(3) Is trauma-informed, such as addressing exposure to community-based violence and trauma specific to military- or veteran-connected students (as defined in this notice).

(b) Creating education or work-based settings that are supportive, positive, identity-safe and inclusive with regard to race, ethnicity, culture, language, and disability status, through one or more of the following activities:

(1) Developing trusting relationships between students (including underserved students), educators, families, and community partners.

(2) Providing high-quality professional development opportunities designed to increase engagement and belonging and build asset-based mindsets for educators working in and throughout schools.

(3) Engaging students (including underserved students), educators, families, and community partners from diverse backgrounds and representative of the community as partners in school climate review and improvement efforts.

(4) Developing and implementing inclusive and culturally informed discipline policies and addressing disparities in school discipline policy by identifying and addressing the root causes of those disparities, including by involving educators, students, and families in decision-making about discipline procedures and providing training and resources to educators.

(5) Supporting students to engage in real-world, hands-on learning that is aligned with classroom instruction and takes place in community-based settings, such as apprenticeships, pre-apprenticeships, work-based learning, and service learning, and in civic activities, that allow students to apply their knowledge and skills, strengthen their employability skills, and access career exploration opportunities.

(c) Creating a positive, inclusive, and identity-safe climate at institutions of higher education through one or more of the following activities:

(1) Fostering a sense of belonging and inclusion for underserved students.

(2) Implementing evidence-based practices for advancing student success for underserved students.

(3) Providing evidence-based professional development opportunities designed to build asset-based mindsets for faculty and staff on campus and that are inclusive with regard to race, ethnicity, culture, language, and disability status.

(4) Updating the institution's harassment policies and procedures consistent with applicable Federal law to ensure they apply to harassment that occurs in the institution's educational programs and activities, including during hybrid and distance education.

(d) Providing multi-tiered systems of supports that address learning barriers both in and out of the classroom, that enable healthy development and respond to students' needs and which may include evidence-based trauma-informed practices and professional development for educators on avoiding deficit-based approaches.

(e) Developing or implementing policies and practices, consistent with applicable Federal law, that prevent or reduce significant disproportionality on the basis of race or ethnicity with respect to the identification, placement, and disciplining of children or students with disabilities.

(f) Providing all students access to physically healthy learning environments, such as energy-efficient spaces, for one or more of the following:

(1) Early learning environments.

(2) Elementary or secondary schools.

(3) Out-of-school time learning spaces.

(4) Postsecondary institutions.

(5) Career and technical education.

(6) Adult education learning environments.

(g) Providing students equitable access that is inclusive, with regard to race, LGBTQI+, ethnicity, culture, language, and disability status, to social workers, psychologists, counselors, nurses, or mental health professionals

and other integrated services and supports, which may include in early learning environments.

(h) Preparing educators to implement project-based or experiential learning opportunities for students to strengthen their metacognitive skills, self-direction, self-efficacy, competency, or motivation, including through instruction that: Connects to students' prior knowledge and experience; provides rich, engaging, complex, and motivating tasks; and offers opportunities for collaborative learning.

(i) Creating and implementing comprehensive schoolwide frameworks (such as small schools or learning communities, advisory systems, or looping educators) that support strong and consistent student and educator relationships.

(j) Fostering partnerships, including across government agencies (e.g., housing, human services, employment agencies), local educational agencies, community-based organizations, adult learning providers, and postsecondary education intuitions, to provide comprehensive services to students and families that support students' social, emotional, mental health, and academic needs, and that are inclusive with regard to race, ethnicity, culture, language, and disability status.

Priority 5—Increasing Postsecondary Education Access, Affordability, Completion, and Post-Enrollment Success

Projects that are designed to increase postsecondary access, affordability, completion, and success for underserved students by addressing one or more of the following priority areas:

(a) Increasing postsecondary education access and reducing the cost of college by creating clearer pathways for students between institutions and making transfer of course credits more seamless and transparent.

(b) Increasing the number and proportion of underserved students who enroll in and complete postsecondary education programs, which may include strategies related to college preparation, awareness, application, selection, advising, counseling, and enrollment.

(c) Reducing the net price or debt-to-earnings ratio for underserved students who enroll in or complete college, other postsecondary education, or career and technical education programs.

(d) Establishing a system of high-quality data collection and analysis, such as data on persistence, retention, completion, and post-college outcomes, for transparency, accountability, and institutional improvement.

(e) Supporting the development and implementation of student success programs that integrate multiple comprehensive and evidence-based services or initiatives, such as academic advising, structured/guided pathways, career services, credit-bearing academic undergraduate courses focused on career, and programs to meet basic needs, such as housing, childcare and transportation, student financial aid, and access to technological devices.

(f) Increasing the number of individuals who return to the educational system and obtain a regular high school diploma, or its recognized equivalent for adult learners; enroll in and complete community college, college, or career and technical training; or obtain basic and academic skills, including English language learning, that they need to succeed in college—including community college—as well as career and technical education and/or the workforce.

(g) Supporting the development and implementation of high-quality and accessible learning opportunities, including learning opportunities that are accelerated or hybrid online; credit-bearing; work-based; and flexible for working students.

(h) Supporting evidence-based practices in career and technical education and ensuring equitable access to and successful completion of high-quality programs, credentials, or degrees.

(i) Supporting the development and implementation of evidence-based strategies to promote students' development of knowledge and skills necessary for success in the workforce and civic life.

(j) Connecting children or students with disabilities, adults with disabilities, and disconnected youth to resources designed to improve independent living and the achievement of employment outcomes or education, which may include the provision of pre-employment transition services, transition and other vocational rehabilitation services under the Vocational Rehabilitation program, and transition and related services under IDEA, as appropriate.

(k) Providing students access to international education, education in cultural and global competencies, and foreign language training in preparation for global competitiveness.

(l) Supporting the development and implementation of comprehensive transition and postsecondary programs for students with intellectual disabilities (as defined in section 760 of the Higher Education Act of 1965, as amended (HEA)).

(m) Providing secondary school students with access to career exploration and advising opportunities to help students make informed decisions about their postsecondary enrollment decisions and to place them on a career path.

Priority 6—Strengthening Cross-Agency Coordination and Community Engagement To Advance Systemic Change

Projects that are designed to take a systemic evidence-based approach to improving outcomes for underserved students in one or more of the following priority areas:

(a) Coordinating efforts with Federal, State, or local agencies, or community-based organizations, that support students, to address one or more of the following:

- (1) Food assistance.
- (2) Energy.
- (3) Climate change.
- (4) Housing.
- (5) Homelessness.
- (6) Transportation.
- (7) Health, including physical health, mental health, and behavioral health and trauma.
- (8) Child care.
- (9) School diversity, including student and educator diversity.
- (10) Justice policy.
- (11) College readiness.
- (12) Workforce development.
- (13) Civic engagement.
- (14) Technology.
- (15) Public safety.
- (16) Community violence prevention and intervention.
- (17) Social services.
- (18) Voting access and registration.
- (19) Adult education and literacy.
- (20) Another key field-initiated focus area.

(b) Conducting community needs and asset mapping to identify existing programs and initiatives that can be leveraged, and new programs and initiatives that need to be developed and implemented, to advance systemic change.

(c) Establishing cross-agency partnerships, or community-based partnerships with local nonprofit organizations, businesses, philanthropic organizations, or others, to meet family well-being needs.

(d) Identifying, documenting, and disseminating policies, strategies, and best practices on effective approaches to creating systemic change through cross-agency or community-based coordination and collaboration.

(e) Expanding or improving parent and family engagement.

Types of Priorities:

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Final Definitions

The Secretary establishes the following definitions for use in any Department discretionary grant program in which the final priorities are used. In any discretionary grant program competition in which the definition of “underserved students” is used, the Secretary may use the entire definition or one or more of the subparts of the definition that are most relevant for the grant program competition.

Children or students with disabilities means children with disabilities as defined in section 602(3) of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1401(3)) and 34 CFR 300.8, or students with disabilities, as defined in the Rehabilitation Act of 1973 (29 U.S.C. 705(37), 705(202) (B)).

Community college means “junior or community college” as defined in section 312(f) of the Higher Education Act of 1965, as amended (HEA).

Competency-based education (also called proficiency-based or mastery-based learning) means learning based on knowledge and skills that are transparent and measurable. Progression is based on demonstrated mastery of what students are expected to know (knowledge) and be able to do (skills), rather than seat time or age.

Disconnected youth means an individual, between the ages 14 and 24, who may be from a low-income background, experiences homelessness, is in foster care, is involved in the justice system, or is not working or not

enrolled in (or at risk of dropping out of) an educational institution.

Early learning means any (a) State-licensed or State-regulated program or provider, regardless of setting or funding source, that provides early care and education for children from birth to kindergarten entry, including, but not limited to, any program operated by a child care center or in a family child care home; (b) program funded by the Federal Government or State or local educational agencies (including any IDEA-funded program); (c) Early Head Start and Head Start program; (d) non-relative child care provider who is not otherwise regulated by the State and who regularly cares for two or more unrelated children for a fee in a provider setting; and (e) other program that may deliver early learning and development services in a child's home, such as the Maternal, Infant, and Early Childhood Home Visiting Program; Early Head Start; and Part C of IDEA.

Educator means an individual who is an early learning educator, teacher, principal or other school leader, specialized instructional support personnel (e.g., school psychologist, counselor, school social worker, early intervention service personnel), paraprofessional, or faculty.

English learner means an individual who is an English learner as defined in section 8101(20) of the Elementary and Secondary Education Act of 1965, as amended, or an individual who is an English language learner as defined in section 203(7) of the Workforce Innovation and Opportunity Act.

Evidence-based has the meaning ascribed to it in 34 CFR 77.1 or the ESEA, as applicable.

High-quality assessments mean diagnostic, formative, interim, or summative assessments that are valid and reliable for the purposes for which they are used and that provide relevant and timely information to help educators, parents or caregivers, and policymakers support students at the student, classroom, school, and system levels.

Historically Black colleges and universities means colleges and universities that meet the criteria set out in 34 CFR 608.2.

Military- or veteran-connected student means one or more of the following:

(a) A child participating in an early learning program, a student enrolled in preschool through grade 12, or a student enrolled in career and technical education or postsecondary education who has a parent or guardian who is a member of the uniformed services (as defined by 37 U.S.C. 101), in the Army, Navy, Air Force, Marine Corps, Coast

Guard, Space Force, National Guard, Reserves, National Oceanic and Atmospheric Administration, or Public Health Service or is a veteran of the uniformed services with an honorable discharge (as defined by 38 U.S.C. 3311).

(b) A student who is a member of the uniformed services, a veteran of the uniformed services, or the spouse of a service member or veteran.

(c) A child participating in an early learning program, a student enrolled in preschool through grade 12, or a student enrolled in career and technical education or postsecondary education who has a parent or guardian who is a veteran of the uniformed services (as defined by 37 U.S.C. 101).

Minority-serving institution means an institution that is eligible to receive assistance under sections 316 through 320 of part A of title III, under part B of title III, or under title V of the HEA.

Tribal College or University has the meaning ascribed it in section 316(b)(3) of the HEA.

Underserved student means a student (which may include children in early learning environments, students in K–12 programs, students in postsecondary education or career and technical education, and adult learners, as appropriate) in one or more of the following subgroups:

(a) A student who is living in poverty or is served by schools with high concentrations of students living in poverty.

(b) A student of color.

(c) A student who is a member of a federally recognized Indian Tribe.

(d) An English learner.

(e) A child or student with a disability.

(f) A disconnected youth.

(g) A technologically unconnected youth.

(h) A migrant student.

(i) A student experiencing homelessness or housing insecurity.

(j) A lesbian, gay, bisexual, transgender, queer or questioning, or intersex (LGBTQI+) student.

(k) A student who is in foster care.

(l) A student without documentation of immigration status.

(m) A pregnant, parenting, or caregiving student.

(n) A student impacted by the justice system, including a formerly incarcerated student.

(o) A student who is the first in their family to attend postsecondary education.

(p) A student enrolling in or seeking to enroll in postsecondary education for the first time at the age of 20 or older.

(q) A student who is working full-time while enrolled in postsecondary education.

(r) A student who is enrolled in or is seeking to enroll in postsecondary education who is eligible for a Pell Grant.

(s) An adult student in need of improving their basic skills or an adult student with limited English proficiency.

(t) A student performing significantly below grade level.

(u) A military- or veteran- connected student.

Universal design for learning has the meaning ascribed it in section 103(24) of the HEA.

Executive Orders 12866 and 13563

Regulatory Impact Analysis

Under Executive Order 12866, the Office of Management and Budget (OMB) must determine whether this regulatory action is “significant” and, therefore, subject to the requirements of the Executive order and subject to review by OMB. Section 3(f) of Executive Order 12866 defines a “significant regulatory action” as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities in a material way (also referred to as an “economically significant” rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive order.

This final regulatory action is a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

We have also reviewed this proposed regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only on a reasoned determination that their benefits justify their costs (recognizing

that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing these final priorities and definitions only on a reasoned determination that their benefits would justify their costs. In choosing among alternative regulatory approaches, we selected those approaches that would maximize net benefits. Based on an analysis of anticipated costs and benefits, we believe that these final priorities and definitions are consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action does not unduly interfere with State, local, and Tribal governments in the exercise of their governmental functions.

In accordance with these Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for

administering the Department’s programs and activities.

Potential Costs and Benefits

The final priorities and definitions will impose minimal costs on entities that receive assistance through the Department’s discretionary grant programs. Additionally, the benefits of implementing the final priorities and definitions outweigh any associated costs because it will result in the Department’s discretionary grant programs encouraging the submission of a greater number of high-quality applications and supporting activities that reflect the Administration’s educational priorities.

Application submission and participation in a discretionary grant program are voluntary. The Secretary believes that the costs imposed on applicants by the final priorities and definitions will be limited to paperwork burden related to preparing an application for a discretionary grant program that is using a priority in its competition. Because the costs of carrying out activities will be paid for with program funds, the costs of implementation will not be a burden for any eligible applicants, including small entities.

Regulatory Flexibility Act Certification

The Secretary certifies that this final regulatory action will not have a significant economic impact on a substantial number of small entities. The U.S. Small Business Administration Size Standards define proprietary institutions as small businesses if they are independently owned and operated, are not dominant in their field of operation, and have total annual revenue below \$7,000,000. Nonprofit institutions are defined as small entities if they are independently owned and operated and not dominant in their field of operation. Public institutions are defined as small organizations if they are operated by a government overseeing a population below 50,000.

The small entities that this final regulatory action will affect are early learning providers, school districts, institutions of higher education, nonprofit organizations, and for-profit organizations. Of the impacts we estimate accruing to grantees or eligible entities, all are voluntary and related mostly to an increase in the number of applications prepared and submitted annually for competitive grant

competitions. Therefore, we do not believe that the final priorities and definitions will significantly impact small entities beyond the potential for increasing the likelihood of their applying for, and receiving, competitive grants from the Department.

Paperwork Reduction Act

The final priorities and definitions do not contain any information collection requirements.

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of the Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Miguel A. Cardona,

Secretary of Education.

[FR Doc. 2021–26615 Filed 12–9–21; 8:45 am]

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DEPARTMENT OF EDUCATION

34 CFR Chapter II

[Docket ID ED–2023–OESE–0209]

Comprehensive Centers Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Final priorities, requirements, definitions, and selection criteria.

SUMMARY: The Department of Education (Department) announces priorities, requirements, definitions, and selection criteria under the Comprehensive Centers Program, Assistance Listing Number 84.283B. The Department may use one or more of these priorities, requirements, definitions, and selection criteria for competitions in fiscal year (FY) 2024 and in later years. The Department establishes these priorities, requirements, definitions, and selection criteria to help ensure that Comprehensive Centers provide high-quality capacity-building services to State, regional, Tribal and local educational agencies and schools that improve educational opportunities and outcomes, close achievement gaps, and improve the quality of instruction for all students.

DATES: These priorities, requirements, definitions, and selection criteria are effective June 12, 2024.

FOR FURTHER INFORMATION CONTACT: Dr. Michelle Daley. Telephone: (202) 987–1057. Email: OESE.ComprehensiveCenters@ed.gov.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION:

Purpose of Program: The Comprehensive Centers Program supports the establishment of Comprehensive Centers to provide capacity-building services to State educational agencies (SEAs), regional educational agencies (REAs), local educational agencies (LEAs), and schools that improve educational opportunities and outcomes, close achievement gaps, and improve the quality of instruction for all students, particularly for groups of students with the greatest need, including students from low-income families and students attending schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965, as amended (ESEA).

Program Authority: Section 203 of the Educational Technical Assistance Act of 2002 (ETAA) (20 U.S.C. 9601 *et seq.*).

The Department published a notice of proposed priorities, requirements, definitions, and selection criteria for this program in the **Federal Register** on January 23, 2024 (89 FR 4228) (the NPP). That document contained background information and reasons for proposing the priorities, requirements, definitions, and selection criteria.

Public Comment: In response to the invitation in the NPP, we received 45 comments on the proposed priorities, requirements, definitions, and selection criteria. We discuss substantive issues under each priority, requirement, definition, or selection criteria to which they pertain. We first discuss general issues and then group specific comments according to subject. Generally, we do not address technical and other minor changes or suggested changes the law does not authorize us to make. In addition, we do not address comments that are outside the scope of the proposed priorities, requirements, definitions, and selection criteria. We also describe below additional changes the Department made to the priorities and selection criteria following internal review.

Analysis of Comments and Changes: An analysis of the comments and of any changes in the priorities, requirements, definitions, and selection criteria since publication of the NPP follow.

General Comments; Priorities

Comment: One commenter provided broad support for the proposed priorities, requirements, definitions, and selection criteria, particularly noting support for the foci and priorities designed to ensure that Comprehensive Centers provide support and assistance to schools and students with the greatest need, as well as the focus on ensuring that the work of the Centers is responsive to the needs of schools, districts, and States by requiring stakeholder engagement and needs-sensing activities. The commenter also had several recommendations regarding the upcoming Comprehensive Centers competition, including ensuring that Centers support each State, including rural and Tribal communities, and that the program include a unifying body that assists with coordination of efforts across all Centers and is nimble enough to address emerging issues and needs.

Discussion: We appreciate the support and feedback from the commenter and agree with their recommendations. We believe that the recommendations are addressed by the priorities, requirements, definitions, and selection

criteria, and that no changes are needed in that regard. In particular, we note that through Priority 2 titled “Regional Centers,” the Comprehensive Centers program is designed to support all States, and its services must address the unique educational obstacles faced by underserved populations, including students living in rural areas and Tribal students. Through Priority 1 titled “National Comprehensive Center,” we intend to establish and implement a unifying National Center with specific requirements for coordinating work across all Centers while also reserving resources to address emerging needs. Additionally, Program Requirement 8, for all Centers, requires an annual set-aside of five percent of the grant amount to support emerging needs which ensures that all Centers retain flexibility to address needs that may emerge throughout the grant cycle.

Changes: None.

Comment: One commenter expressed support for the language in Priority 1 requiring that the approach to capacity-building be driven by adult learning strategies and incorporate implementation, improvement, and systems change frameworks. The commenter further stated that this approach is imperative to the work of the Regional Centers and Content Centers and recommended that the same language be included in Priorities 2 and 3.

Discussion: The Department appreciates the support for this language and agrees with the commenter that all Centers should incorporate in their work adult learning principles and implementation, improvement, and systems change frameworks in order to most effectively support clients. The importance of this approach to providing high-quality capacity-building services is not unique to the National Center. Accordingly, we are adding this requirement to Priority 2 and Priority 3. Additionally, we update the priority language referring to adult learning strategies to “adult learning principles” to align with the language used in the program and application requirements.

Changes: We have revised Priorities 2 and 3 to include reference to adult learning principles and implementation, improvement, and systems change frameworks.

Comment: One commenter expressed support for the focus on continuous improvement throughout the Comprehensive Centers program, and particularly in the definition of “capacity building,” as used in Program Requirement 3 and Application Requirement 4. The commenter also

recommended that, throughout the priorities, requirements, and selection criteria, wherever we reference the selection, implementation, and scaling up of evidence-based practices or approaches, we add reference to “continuous improvement.”

Discussion: We appreciate the commenter’s feedback and support for the program’s focus on continuous improvement and its inclusion in our definition of “capacity-building services”. We believe that continuous improvement is inherently part of implementing evidence-based practices or approaches. Comprehensive Centers build the capacity of their clients to implement evidence-based practices through planning and implementing interventions, and in collaboration with Regional Educational Laboratories (RELs), studying or evaluating their efficacy, and acting on that information to continuously improve practices or approaches. In particular, as we note above, we are adding language to Priority 2 and Priority 3 on the need for Centers’ work to be driven by implementation science, improvement science, and systems change frameworks, which all include elements of continuous improvement as central to successful implementation, improvement, or systems change. Accordingly, we believe that, both as proposed and with the additions to Priority 2 and Priority 3, the priorities for each Center encompass the work of continuous improvement within how we define capacity-building services, how Centers design capacity-building services, and how we prioritize support for implementation of evidence-based practices or approaches and, therefore, no further changes are necessary.

Changes: None.

Comments: Two commenters expressed support for the inclusion of Tribal education in the Comprehensive Centers program. One commenter expressed general support for a deeper inclusion of Tribal communities and governments, and another provided specific support of the inclusion of Tribal Education Agencies (TEAs) as eligible beneficiaries of Comprehensive Center services.

Discussion: We appreciate the support for the inclusion of Tribal communities and governments overall and of TEAs as clients and recipients of Comprehensive Center program services specifically.

Changes: None.

Comment: One commenter noted the importance of serving the needs of immigrant students through the Comprehensive Centers program, including in the areas of digital literacy and access.

Discussion: We agree with the commenter on the importance of serving the needs of immigrant students and note that this priority was also identified by the Regional Advisory Committees. The Department believes that this focus is captured within the scope of the priorities. Specifically, Priority 2 requires each Regional Center to provide capacity-building services to assist clients and recipients in addressing the unique educational obstacles faced by underserved populations, including immigrant children and youth. Priority 3 provides for operation of Content Centers, including a Center in the area of English Learners and Multilingualism, which are also likely to further serve the needs of immigrant students. Priority 1 also includes support for emerging education topics of national importance not being met by other federally funded technical assistance (TA) providers, which could include emerging topics such as digital literacy and access. The Department has added to the examples listed in this priority to include support strategies for promoting digital literacy and access.

Changes: The Department has added language to Priority 1 to include examples of emerging needs related to digital literacy and access.

Comments: One commenter noted the importance of non-teacher faculty in supporting underserved students, particularly students who are migratory children. The commenter suggested that the Department more explicitly address how the needs of underserved students, particularly those who are migratory children, will be met on an individual level.

Discussion: We appreciate the commenter’s feedback and recommendations. Priority 2 requires services to be provided to address the unique educational obstacles faced by underserved populations, including migratory children. The Program Requirements for all Centers require Centers to plan and deliver services in response to educational challenges facing students, practitioners, and education system leaders, and in developing their annual service plans to ensure services are provided to support students and communities with the highest needs, including recipients serving student populations with demonstrated needs unmet or under-met through other Federal, State, or local interventions. We believe these provisions enable Centers to provide needed support for specific student populations, including students who are migratory.

Changes: None.

Comment: One commenter emphasized the importance of those working within the field of Indian Education to be aware of the treaties between the Federal Government and Indian Tribes regarding education.

Discussion: The Department agrees that Comprehensive Centers must have appropriate experience and expertise to adequately support their clients, including awareness of educational laws, regulations, and policies that impact their clients. We note that Priorities 1 and 2, for the National and Regional Centers, respectively, include language related to the role of the Centers in addressing the unique educational obstacles faced by Tribal students. The priorities, requirements, and definitions outline several ways in which the Comprehensive Centers program grantees may work with TEAs as clients. Additionally, Priority 2 establishes a Regional Center focusing on serving the Bureau of Indian Education. Program Requirement 2 for all Centers further requires Centers to develop and implement capacity-building services to reflect and address specific client needs and contexts. Application Requirement 3 for all Centers requires Centers to demonstrate appropriate subject matter expertise, which includes expert knowledge of statutory requirements, regulations, and policies related to ESEA programs, current education issues, and policy initiatives, as well as demonstrated experience in content areas for which they are engaged as experts. Finally, the selection criteria evaluate the extent to which Regional Centers applicants demonstrate that the proposed approach to capacity building would address key areas of identified client need, which may include the needs of TEA clients and other clients serving Tribal students. In responding to the criteria, applicants are asked to demonstrate in-depth knowledge and understanding of the specific educational goals and priorities of the Center’s clients, including the client’s demographics and policy contexts. The criterion focused on subject matter expertise will also allow the Department to evaluate the degree to which applicants have the appropriate subject matter expertise and experience to serve their intended clients. The Department believes that these combined elements will ensure that Comprehensive Centers program grantees have the appropriate experience and expertise to support clients in addressing the needs of Tribal students.

Changes: None.

Comment: One commenter expressed support for the current work of the

National Center and Regional Center partners related to afterschool and summer programming. The commenter also expressed support for the emphasis in Priority 2 on supporting clients in implementing, scaling-up, and sustaining evidence-based practices and interventions to improve core instruction. The commenter requested that the Centers work to build on current research in the science of learning and development to support high-quality afterschool and summer programs.

Discussion: We share the commenters' interest in assisting SEAs and LEAs in supporting afterschool and summer programming. The Department supports using current research and successful models in the field to ensure all students have access to quality afterschool and summer learning opportunities. We believe that work proposed under Priority 2 and Priority 1 will promote the use of evidence-based practices in key initiatives to accelerate academic recovery in math and literacy that may include high-impact tutoring, high-quality summer and after-school programming, and effective interventions to reduce chronic absenteeism.

Changes: None.

Comment: One commenter made suggestions for how Comprehensive Centers could better support SEAs in implementing ESEA programs. The commenter noted that an important need of the SEAs is improving data reporting, including improving capacity for data validation, streamlining data systems, planning data collection, communicating these requirements to LEAs and schools, and overall data quality. The commenter also requested assistance for SEAs in implementing resource allocation reviews and in communicating with the Department regarding data reporting requirements.

Discussion: The Department appreciates the commenter's suggestions regarding how the Comprehensive Centers can improve SEA capacity to collect and report data, which will improve the SEAs' implementation and evaluation of ESEA programs. The Department agrees that the Comprehensive Centers, and particularly the Regional Centers, should support SEAs with improving their data collection practices and support to LEAs. The Department has added language to Priority 2 to include support for data collection and reporting activities. The Department notes the existing requirements related to consultation with SEA leaders in determining the greatest client needs. This would include addressing issues

identified by the Department and its data reporting contractors. The Department additionally supports the suggestion that Centers should support resource allocation reviews. As discussed elsewhere in this document, the Department has added language to Priority 1 and Priority 2 to underscore the importance of supporting resource allocation reviews.

Changes: The Department has added language to Priority 2 to include capacity-building services that assist clients and recipients in collecting and reporting data on ESEA programs.

Comment: One commenter noted the important role of the National Center and Regional Centers in supporting school support and improvement activities, including resource allocation reviews, as outlined in section 1111(d)(3)(A)(ii) of the ESEA. Additionally, the commenter suggested that the Center on Fiscal Equity should also play a role in identifying best practices regarding fiscal equity components of school improvement support to SEAs and LEAs. The commenter noted a report from the Government Accountability Office that indicated the need for greater support from the Department to assist SEAs and LEAs in complying with the school improvement and resource equity requirements specified in the section 1111(d) of the ESEA. The commenter noted specifically the need for support regarding the inclusion of needs assessments, evidence-based interventions, and identifying resource inequities in improvement plans and ensuring adequate and equitable funding is available to identified schools to carry over improvement activities.

Discussion: The Department appreciates the commenter's support for the important role of the National Center, Regional Centers, and Center on Fiscal Equity in supporting SEAs and LEAs in meeting school improvement requirements under section 1111(d) of the ESEA. The Department also appreciates the commenter's support of the Department's emphasis on serving (1) recipients with high percentages students from low-income families and (2) students attending schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA. The Department agrees that the Center on Fiscal Equity has an important role to support all Comprehensive Centers in understanding and designing services related to the adequate and equitable funding for schools implementing

comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA. The Department also notes the inclusion and importance of support for resource allocation reviews described in section 1111(d)(3)(A)(ii) of the ESEA in Priority 1 and Priority 2. In response to the commenter's general feedback, as discussed elsewhere in this document, the Department added language to emphasize supporting resource allocation reviews in Priority 1 and Priority 2, and added language to Priority 3 to signify the important role of the Center on Fiscal Equity in supporting resource equity requirements.

Changes: The Department has added language to Priority 1 and Priority 2 to include a focus on support for implementing resource allocation reviews required in section 1111(d)(3)(A)(ii) of the ESEA. Additionally, the Department has added language to Priority 3 for the Center on Fiscal Equity to include schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA.

Priority 1—National Comprehensive Center

Comment: One commenter requested that the Department reconsider the National Center's role in providing targeted supports and suggested instead that the National Center would be more effectively positioned to focus on providing universal supports, disseminating the work done by other Centers and as a primary coordination point.

Discussion: We appreciate the feedback from the commenter and agree with their emphasis on the importance of the National Center as a point of coordination and dissemination for the Comprehensive Centers program as a whole. However, we disagree that the National Center should focus solely on universal supports and not on providing targeted support. Under Priority 1 the National Center will provide subject matter expertise on and capacity-building services related to several topics of national importance including addressing unique educational obstacles faced by rural and Tribal students; implementing and scaling up evidence-based programs, practices, and interventions that improve instruction and outcomes in core subjects including math and literacy instruction; implementing school improvement and State accountability and assessment

systems; and other emerging needs. While States will work first with their Regional Center, it is critical that the National Center, as a locus of expertise in these topics, is available to work with other Centers when there is a need for cross-regional coordination to provide targeted support in the areas in which the National Center has significant subject matter expertise. As defined, “targeted capacity-building services” can include, for example, strategic planning events, national and regional conferences, learning series, and communities of practice. We believe that this type of support is critical to the role of the National Center and the goals of the program and therefore decline to focus the National Center solely on the provision of universal supports.

Changes: None.

Comment: One commenter provided broad support for the work of the existing National Center and noted that creating a centralized hub has improved efficiency and coordination in the TA system of the Comprehensive Centers Programs.

Discussion: We appreciate the commenter’s support for the National Center and note that through Priority 1 the Department will continue to establish and operate a National Center that will coordinate work across the network, among other responsibilities.

Changes: None.

Comment: One commenter recommended that we specify in Priority 1 that the National Center will support SEAs to conduct resource allocation reviews required by section 1111(d)(3)(A)(ii) of the ESEA.

Discussion: The Department agrees with the importance of providing services to support SEAs in implementing resource allocation reviews and has added language to emphasize this activity in Priority 1 as an example of how the National Center may provide services to support SEAs to implement State accountability and assessment systems consistent with title I, part A of the ESEA (ESEA section 1111(b)–(d)). Additionally, we note that the Center on Fiscal Equity will provide targeted and universal capacity building services for strengthening equitable and adequate resource allocation strategies, including for schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA, which may relate to services the National Center provides to States implementing this requirement under section 1111(d)(3)(A)(ii) of the ESEA. We have updated Priority 3 to reflect necessary collaboration with the

National Center to support coordination of these services.

Changes: We have revised Priority 1 to highlight activities related to resource allocation reviews that an applicant may conduct under this priority and have revised Priority 3 to include collaborating with the National Center to provide services to meet this requirement.

Comment: One commenter expressed support for the focus in Priority 1 on addressing the unique educational challenges, and improving the outcomes, of schools implementing comprehensive support and improvement activities or targeted or additional targeted support and improvement activities under title I, part A of the ESEA (ESEA sec. 1111(d)) and their students. This commenter recommended that the Department include additional examples of how the National Center may help address these needs, including through needs assessments to diagnose challenges and resource inequities, identifying and implementing evidence-based interventions, and monitoring progress and taking corrective action.

Discussion: The Department appreciates the support for the inclusion of activities to support school improvement in Priority 1 for the National Center and agrees that the specified activities would be acceptable and appropriate strategies to address the unique educational challenges and improve outcomes of schools implementing comprehensive support and improvement activities, or targeted or additional targeted support and improvement activities. Because these activities are already allowable under the priority as written, the Department does not believe it necessary to revise Priority 1 to include the specified examples.

Changes: None.

Priority 2—Regional Centers

Comments: Several commenters provided feedback on the allocation of funding to Centers, particularly Regional Centers. Specifically, two commenters requested information on the Department’s approach to funding levels for each Center. One commenter emphasized the importance of funding each Center commensurate to its project scope and requested that the Department provide estimated funding levels for each of the proposed Centers. Another commenter requested information on the method of allocating funding across each Center and encouraged the Department to request additional funding for the program in the future. Another commenter

generally noted the importance of ensuring sufficient funds for each Regional Center to deliver intensive and impactful capacity-building services. Three commenters suggested specific factors that the Department should consider when allocating funds, with two recommending that the Department consider the number of States and the geography of a region in determining allocations, and one recommending that the Department consider the cost of travel.

Discussion: We appreciate the interest in funding levels from the commenters. However, we do not include specific funding estimates in the priority for each type of Center. For any fiscal year in which we use one of these final priorities, the Notice Inviting Applications (NIA) will specify the funding available and estimated for each Center. We note that under section 203 of the ETAA, the Department is required, when awarding grants to Regional Centers, to establish one Center in each of the 10 geographic regions served by the RELs. In addition, the Department considers additional factors named in the ETAA when awarding grants such as school-age population, proportion of economically disadvantaged students, the cost burdens of service delivery in areas of sparse population, and the number of schools implementing comprehensive support and improvement activities and targeted support and improvement activities. Finally, the Department appreciates the commenter’s recommendation to request additional funding and will consider the needs of the program in its requests for funding in future years.

Changes: None.

Comment: One commenter shared suggestions for alternative configurations of Regional Centers, including aligning regions with the 10 Federal Emergency Management Agency (FEMA) regions, returning to a previous Comprehensive Centers model that included Regional Centers and “Single State” Centers, or grouping States with similar priorities into regions.

Discussion: Although we appreciate the commenter’s recommendations, the ETAA requires the Department to establish at least one Center in each of the 10 geographic regions served by the Department’s RELs and to consider other factors indicated in the ETAA including the school-age population, the proportion of economically disadvantaged students, the increased cost burdens of service delivery in areas of sparse population, and the number of schools implementing comprehensive support and improvement activities and

targeted support and improvement activities under section 1111(d) of the ESEA when establishing regions under this program. We believe the proposed regional configuration best meets the statutory intent of this program. Additionally, we note that under Priority 1, the National Center may conduct targeted capacity-building services, including strategic planning events, national and regional conferences, learning series, and communities of practice, that convene States not in the same region around a topic of shared importance.

Changes: None.

Comment: Two commenters expressed support for including a Regional Center for the Bureau of Indian Education (BIE).

Discussion: We appreciate the support for the Department's inclusion of a Regional Center serving the BIE.

Changes: None.

Comment: Two commenters expressed support for the larger regions proposed in Priority 2 compared to the existing regional configuration under the Comprehensive Centers program, noting the potential for these regions to increase efficiency. One commenter also highlighted the closer alignment to the REL regions and the potential for this alignment to support coordination and alignment of services and needs sensing across both programs.

Discussion: We appreciate the support from the commenters and feedback on the potential benefits of the revised regional configuration in Priority 2.

Changes: None.

Comments: Two commenters expressed support for the focus on evidence-based projects and programs. One commenter expressed general support for the emphasis on evidence-based learning throughout the document. Another commenter noted the importance of selecting, implementing, and sustaining evidence-based programs in rural and smaller, less resourced organizations and school districts.

Discussion: We appreciate the commenters' support for promoting evidence-based practices in the Comprehensive Centers program, including in support of rural and small organizations and districts. Additionally, the Department would like to clarify examples of key initiatives Centers may focus on in implementing evidence-based practices.

Changes: We have revised Priority 2 to include clarifying changes of evidence-based programs, practices, or interventions that focus on key initiatives that lead to LEAs and schools improving student outcomes.

Comment: One commenter asked the Department to clarify how Regional Centers should develop cost-effective strategies to make their services available to as many SEAs, REAs, TEAs, LEAs, and schools in need of support as possible.

Discussion: We appreciate the comment and note that, to maximize the impact of public funds, all Regional Centers are expected to develop cost-effective strategies to ensure services reach as many SEAs, REAs, TEAs, LEAs, and schools within the region in need of support as possible. Applicants may propose strategies for how they might accomplish this objective within their regions through their approach to capacity building in their response to this priority as well as to the Program Requirements 4 and 6 for all Centers.

Additionally, Regional Centers will partner with the National Center to share and disseminate information about Comprehensive Center Network (CCNetwork) services, tools, and resources to maximize the reach of the CCNetwork across clients and education stakeholders. Although the Department believes that applicants are best positioned to identify and develop these strategies given their knowledge of the critical needs of regional clients, the Department will further describe any plans to work with grantees on how to maximize the reach of Comprehensive Center services in its Cooperative Agreements with grantees.

Changes: None.

Comment: One commenter suggested that the Department revise Priority 2 to ensure that Regional Centers provide support to SEAs implementing resource allocation reviews under section 1111(d)(3)(A)(ii) of the ESEA.

Discussion: We agree with the commenter's recommendation. Supporting SEAs in implementing resource allocation reviews is one important way that Regional Centers can support schools implementing comprehensive support and improvement activities or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA.

Changes: We have revised Priority 2 to include a focus on support for implementing resource allocation reviews under section 1111(d)(3)(A)(ii) of the ESEA.

Comment: One commenter supported the Priority 2 requirement to ensure Regional Centers support SEAs and LEAs to address corrective actions from ESEA program monitoring and recommended that the Department specify that services may be provided in this regard at the request of the

Department, or based on recommendation by the Regional Center, in addition to the request of the State.

Discussion: We appreciate the commenter's suggestion and acknowledge that grantees may benefit from the Department or the client's Regional Center recommending or requesting that they receive support in addressing corrective actions or results from audit findings and ESEA program monitoring conducted by the Department. We believe paragraph (4) of Priority 2 permits the Department or a Regional Center to make such recommendations and therefore do not believe it is necessary to revise the priority to address this specific need.

Changes: None.

Comment: One commenter expressed support for Priority 2 and noted that the requirement for Regional Centers to design services in conjunction with State leadership has benefitted the work of Regional Centers in the current grant cycle.

Discussion: We appreciate the support from the commenter and feedback on the benefits of the proposed Comprehensive Center service delivery model and requirement to develop and implement capacity-building services in partnership with State and local clients and recipients.

Changes: None.

Priority 3—Content Centers

Comment: One commenter provided overall support for the priorities, including Priority 3, and encouraged the Department to explicitly consider ways the field of communication sciences and disorders, specifically audiology and speech-language pathology, can support the goals of the Comprehensive Centers program. Additionally, the commenter provided specific feedback on the importance of audiologists and speech language pathologists (SLPs) in relation to the work of the Center for English Learners and Multilingualism and the Center for Early School Success. Specifically, related to the work of the Center for English Learners and Multilingualism, the commenter recommended that the Department consider the role of audiologists and SLPs to ensure access to interpreting services and engagement. Related to the work of the Center for Early School Success, the commenter recommended enhancing the focus of services provided by the Center to address caseload management for practitioners, such as audiologists and SLPs; rural capacity building for accessing school-based services for students who already

qualify under Medicaid; and school-based telepractice.

Discussion: We appreciate the commenter's support for the priorities and as to Priority 3, the feedback related to the importance of the field of communication sciences both broadly and specifically related to the work of the Center for English Learners and Multilingualism and the Center for Early School Success. Through the Comprehensive Centers program, we aim to improve educational outcomes, close achievement gaps, and improve the quality of instruction for all students, particularly those with the greatest need. Based on the Department's experience administering the program and the feedback from the Regional Advisory Committees and others, we believe it is important for all Centers, including Content Centers, to consider a broad universe of resources, practices, and policies that may support these goals. Further, we believe that how Centers focus and deliver capacity-building services must be driven by their needs-sensing activities with clients and recipients and the review of available evidence, and therefore, we decline to explicitly add references to the specific field of communication sciences and disorders in the priorities. Specific to the recommendations related to the Center for Early School Success, we believe it is important to maintain the focus on preschool-third grade learning systems and experiences more broadly to support academic, social, emotional, cognitive, and physical development. We also note that it is not within the scope of the Comprehensive Centers to provide assistance in implementing programs outside of the ESEA; however we do require Centers to partner with each other and other federally funded technical assistance centers to address client needs and note opportunities for the Center for Early School Success to coordinate with the Center on Fiscal Equity to support clients and recipients in considering how ESEA funds may interact with and complement other Federal programs, including Medicaid, to improve student opportunities and outcomes and reduce duplication of services.

Changes: None.

Comment: Several commenters provided broad feedback on the introduction of Content Centers as a priority (Priority 3) and the impact on the overall structure and focus of the Comprehensive Centers program. Feedback from these commenters was mixed, with some expressing support for the inclusion of Content Centers in the Comprehensive Centers program and others expressing concern. For

those commenters that supported Priority 3, some noted that the four identified focus areas are important areas of national need, while another expressed that the Content Centers promised to bring critical support responsive to the needs of States and districts. The commenters who disagreed with the inclusion of Content Centers cited concerns related to the impact on Comprehensive Center branding, flexibility, and responsiveness. Specifically, one such commenter expressed concern that identifying focus areas for a five-year cycle was not the best way to respond to emerging needs and instead recommended an approach similar to the current configuration allowing the National Center and Regional Centers flexibility to respond to emerging needs. This same commenter also cited a concern with duplication of efforts in previous Comprehensive Center cohorts that included Content Centers. Another commenter also noted that the Comprehensive Centers program has built familiarity and recognition among SEAs and LEAs and shared concerns that changing the configuration would harm this brand recognition.

Discussion: We appreciate the feedback from commenters on the inclusion of Priority 3. We agree with the comments supporting the four proposed focus areas and on the importance of flexibility, efficiency, and responsiveness to the success of the Comprehensive Centers program. We also appreciate the commenters' concerns about the proposed impacts on the program's brand recognition, service to clients, and ability to maximize flexibility and responsiveness to emerging needs or to provide efficient, high-quality, relevant, and useful services responsive to the needs of clients and recipients. We believe, however, that Priority 3's approach minimizes these concerns. First, the establishment of the Content Centers supports the Comprehensive Center program's ability to provide high-quality capacity-building services in identified areas of high national need. The four focus areas reflect the recommendations of the Regional Advisory Committees and are areas of national need that are likely to retain importance to Comprehensive Center clients and recipients over the entire five-year project period. Regarding the potential impact to the branding of the CCNetwork, we note that the National Center has an explicit requirement in Priority 1 to support consistent branding, communication, and dissemination of products, information,

and resources from the CCNetwork and we expect the progress made under the current model to continue with this support. Additionally, throughout these priorities, requirements, definitions and selection criteria, we emphasize the need for the Comprehensive Centers to be nimble to adjust to new or emerging areas of need and note features of this structure that retain the program's ability to address emerging needs, including Priority 1 which requires the National Center to address emerging national needs, and Program Requirement 8 for all Centers that requires each Center to include an annual set-aside of five percent of the grant amount to support emerging needs. This is designed to ensure each Center is able to remain flexible and responsive to needs that arise throughout the project period. We believe that with these elements combined, the CCNetwork will be able to provide high-quality, relevant, and useful capacity-building services to clients and recipients across the country in areas of high national need as well as emerging needs.

Changes: None.

Comment: Several commenters who disagreed with the inclusion of Content Centers cited concerns related to potential confusion of clients on how to access services from Centers within the CCNetwork. One commenter cited a concern with confusion among clients in previous Comprehensive Center cohorts that included Content Centers. Another commenter raised concerns that the introduction of these Centers would make the process of accessing services more complex for clients.

Discussion: We appreciate the commenters' concerns about the proposed impacts of including Content Centers on client access to services. Regarding potential client confusion, we note that Regional Centers will continue to serve as the entry point for States to engage with the CCNetwork, and that it will be through the Regional Centers that the Content Centers will address specific requests for assistance from States within the regions and strengthen Regional Center staff knowledge and expertise on the evidence base and effective practices within its specific content area. Content Centers are also required to consult with and integrate feedback from the Department, the National and Regional Centers in developing their annual service plan to ensure targeted and universal services reflect regional and national needs and to avoid duplication of services. We also note that the National Center has an explicit requirement in Priority 1 to support coordination across the

Regional and Content Centers. We believe these requirements focused on consultation, coordination, and collaboration of services, negotiated and coordinated with and through Regional Centers, will minimize client confusion and provide clear opportunities for Center coordination to minimize client burden.

Changes: None.

Comment: Some commenters who disagreed with the inclusion of Content Centers cited concerns related to the impact on Comprehensive Center efficiency and funding. Specifically, one commenter who did not support Priority 3, recommended that if the Department proceeds with it, it should further clarify how the Content Centers will interact with the Regional Centers and the National Center. Another commenter raised concerns that the introduction of these Centers would divert funds from the Regional Centers and National Center, which could limit their services and ability to respond to emerging needs across the network.

Discussion: We appreciate the commenters' concerns about the proposed impacts on the efficiencies of service delivery to clients, namely through the Regional Center and National Center, and concerns around our ability to maximize flexibility and responsiveness to emerging needs and prevent any diversion of funding from the Regional and National Centers. We believe, however, that the approach to coordination required of all Centers minimizes these concerns. As described above, all Centers are expected to coordinate services, and the National and Content Centers must consult with Regional Centers in providing services to clients. Priority 1 and Priority 3 further provide efficiencies to the CCNetwork, for example the National Center will support consistent communication, and dissemination of products, information, and resources from the CCNetwork and will facilitate collaboration across Centers, creating efficiencies for Regional and Content Centers. Additionally, Content Centers will provide subject matter expertise in areas of high national need identified by the Regional Advisory Committees that all Regional Centers can access and benefit from, allowing them to focus their resources on other areas of need. The Department acknowledges that the addition of Content Centers will result in the reduction of the total amount of program funds available to Regional Centers; however, we believe value of services aligned to areas of high national need, coupled with the efficiencies gained through the resources and support provided by the Content

Centers and the National Center to the Regional Centers and their clients should lessen the impact of these reductions.

Changes: None.

Comments: Two commenters that expressed support for the inclusion of Content Centers also made recommendations for additional Centers: one expressed concern about not having a Center focused on systems change and sustainability, though also noted that this topic area could be addressed by the National Center; the other commenter recommended that the Department add a Center for Rural Schools and Communities.

Discussion: We agree with the two commenters on the importance of systems change and sustainability and on serving rural communities, but disagree with the recommendation to create additional Content Centers. The Content Center priorities were determined based on careful consideration of input from the Regional Advisory Committees on areas of national need, as well as other factors including whether the Department currently has existing technical assistance investments for an identified ESEA program or area of need. Additionally, the Department chooses to limit the number of Content Centers to prioritize use of program funds for the Regional Centers. The work of supporting systems change and sustainability is a core tenet of the Comprehensive Centers program and one that we believe is a part of the work of all Centers, and should be embedded in the approach to capacity-building services. Additionally, as the commenter noted, we believe the National Center is well-positioned to provide coordinating support across the CCNetwork to support broader systems change, and we believe that the current requirements in Priority 1 related to coordination are sufficient to carry out this work. We also appreciate and agree with the second commenter's feedback on the importance of serving rural communities but disagree that creating an additional Content Center is needed. Both Priorities 1 and 2 explicitly direct these types of Centers to address the unique educational obstacles faced by rural students, and Program Requirement 3 for Regional Centers further requires that Regional Centers, in developing the annual service plan, ensure services are provided to support students and communities with the highest needs, including recipients in rural areas. We believe that serving rural students is included in the core work of the National and all Regional Centers. For these reasons, we believe the

existing priorities and the requirements combined will allow the Comprehensive Center program to fulfill this goal.

Changes: None.

Comment: One commenter expressed appreciation for the inclusion of early learning programs in Priority 3.

Discussion: We appreciate the commenter's support.

Changes: None.

Comment: Several commenters expressed support and made recommendations regarding the focus of the proposed Center on Strengthening and Supporting the Educator Workforce. Specifically, several commenters suggested including various specific educator roles within the focus of the Center; one commenter recommended the inclusion of school counselors, another recommended the inclusion of all educators responsible for instruction, including substitute teachers and other uncertificated teachers, and a third commenter recommended the inclusion of principals and other school leaders as well as educators involved in out-of-school time programs, such as 21st Century Community Learning Centers.

Discussion: The Department appreciates the comments related to the Center on Strengthening and Supporting the Educator Workforce and agrees with many of the suggestions provided. The Department did not provide a definition of the term "educator" in the NPP. We appreciate and agree with the feedback of the commenters suggesting that this Center should support educators beyond classroom teachers and clarify that the Department's intent is for the services of this Center to include many types of educators. In response to the feedback, the Department has added a definition of "educator" that includes principals or other school leaders, specialized instructional support personnel, (which includes school counselors, SLPs, and other related service providers), paraprofessionals, faculty, and others. We believe the definition includes substitute teachers, other uncertificated teachers, as well as those in out-of-school-time programs. With this change, the Department does not believe it is necessary to add more specific language to the priority as the definition clarifies that these educators are included in the focus of the Center.

Changes: The Department added a definition of "educator" to the Definitions section of this NFP.

Comment: Several commenters provided feedback on the scope and focus areas of the Center on Strengthening and Supporting the Educator Workforce. One commenter encouraged the Department to support building Grow Your Own Programs and

registered apprenticeship programs that include audiologists and SLPs. Another commenter made several recommendations relating to support for Educator Preparation Programs (EPPs), including that the Center should support EPPs and their district partners, identifying specific potential partners, to design, launch, and continually improve pathways from recruitment through retention and build the capacity of EPPs and district leaders to facilitate programs grounded in more equitable outcomes for teachers and P–12 students. Another commenter recommended that the Center support preparation, integration, and ongoing development of substitute teachers.

Discussion: The Department strongly supports a focus for this Center on supporting high-quality EPPs. The primary clients for Comprehensive Centers are defined as SEAs, LEAs, REAs, TEAs and schools; most operators of EPPs would not be among the direct clients of Comprehensive Center program services. However, the Department does envision that the Center may support SEAs, LEAs, and their partners in addressing educator shortages, and that this collaboration with clients and their partners could include EPPs or other partners critical to the focus on strengthening and supporting the educator workforce. The Department believes this could include programs that focus on all types of educators, including audiologists and SLPs, based on demonstrated needs. Additionally, the Department appreciates the critical importance of substitute teachers in discussions of the educator workforce and agrees that the work of the Center to support State and local clients could include a focus on ensuring adequate pipelines of and support for substitute teachers, as appropriate to the needs of the client.

Changes: The Department is adding language to Priority 3 to clarify that the Center may work with SEAs, LEAs, and their partners, such as EPPs, regional workforce boards, labor unions, etc. in addressing educator shortages and providing all students with highly qualified educators across the P–12 continuum.

Comment: One commenter recommended that the Center on Strengthening and Supporting the Educator Workforce should provide tools and resources, professional development, and technical assistance that brings the science of learning into teaching practice, with an equity-centered focus on early literacy, mathematics, and the identification and use of high-quality instructional materials (HQIM). Additionally, this

commenter indicated that the Center should work on strengthening and supporting the educator workforce in ways that also accelerate progress on national priorities such as literacy and math attainment, the use of HQIM, the diversification of the teacher pipeline, and support for multilingual learners.

Discussion: The Department notes the importance of assisting Center clients obtain resources and professional development that will enhance instructional techniques, and the identification and use of HQIMs; however, we note that supporting instruction generally falls within the Priority 1 focus on evidence-based programs, practices, and interventions that improve instruction and outcomes in core subjects, including math and literacy instruction, and decline the recommendation for inclusion in Priority 3. The Department believes that this Center may support diversifying teacher pipelines within the priority as written. Additionally, we note the Center on English Learners and Multilingualism will provide support related to meeting the needs of multilingual learners.

Changes: None.

Comment: One commenter noted recent data that show lower per pupil expenditures for students attending schools identified for improvement and recommended that the Department updated Priority 3 to ensure adequate and equitable school funding strategies for schools identified for support and improvement. The commenter recommended to add language to Priority 3 for the Center on Fiscal Equity to ensure that in prioritizing supports for students and communities with the greatest need, the Department include a focus on schools implementing comprehensive, targeted, and additional targeted support and improvement plans under section 1111(d) of the ESEA.

Discussion: The Department agrees with the commenter on the importance of ensuring adequate and equitable school funding strategies for schools identified for support and improvement. The Department accepts the recommendation to include specific language emphasizing schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA in defining how the Center on Fiscal Equity should prioritize supports for students and communities with the greatest need.

Changes: The Department added language to Priority 3 for the Center on Fiscal Equity to include schools

implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA.

Comment: None.

Discussion: Although we did not receive related comments, in reviewing the final priorities, the Department identified a need to further clarify the focus of the Center on Early School Success to help ensure high-quality applications. The Department clarifies that the work of this Center should focus on supporting success in early elementary grades, which includes successful preschool to kindergarten transitions, success of students in early elementary grades in core subjects in order to meet challenging State academic standards, and engaging with parents and families in supporting student attendance in the early grades.

Changes: The Department has revised the priority for the Center on Early School Success to further clarify how it defines experiencing success in early learning and achievement.

Comment: None.

Discussion: In reviewing the final priorities, the Department identified a need to further clarify the focus of the English Learners and Multilingualism to help ensure high-quality applications. The Department clarifies that in meeting the needs of English Learners, the work of this Center should include support beginning with early language acquisition and development to ensure the needs of all students who are English Learners are met.

Changes: The Department has revised the priority for the The Center on English Learners and Multilingualism to further clarify how this Center might meet the needs of English Learners.

Program Requirements

Program Requirements for All Centers

Comments: One commenter requested that we clarify the discussion in the background of the Program Requirements section regarding the requirements on full-time equivalency for Directors, Co-Directors, and key personnel. The commenter asked whether having two co-directors with a .5 FTE each, totaling 1.0 FTE across both Co-Directors, would meet the program requirements.

Discussion: We appreciate the opportunity to clarify these requirements. Under Requirement 9 for the National Center, the Center must have a minimum of 1 FTE for the Director or two Co-Directors at a minimum of 0.75 FTE each. Under Program Requirement 8 for Regional

Centers, each Center must have one Director at a minimum of 0.75 FTE or two Co-Directors of 0.5 FTE each. Additionally, we are adding an equivalent Program Requirement 7 for Content Centers to require one Director at a minimum of 0.75 FTE or two Co-Project Directors at a minimum of 0.5 FTE each. This new provision will help ensure that the FTE requirements align with the scope of work for the Content Centers and ensure sufficient leadership capacity for operation and effective coordination and collaboration of the Centers.

Changes: We have revised the Program Requirement for Content Centers to include the FTE requirement for Directors and Co-Directors.

Comments: One commenter provided broad feedback on the program requirements related to full-time equivalency of Directors or Co-Directors for the National and Regional Centers. The commenter recommended the requirements not prescribe specific FTE expectations for Center leadership given budget restrictions and the need for flexibility in the staffing model, particularly for smaller centers.

Discussion: We appreciate the feedback from the commenter related to the FTE requirements. However, we disagree with the recommendation to forgo designating specific FTE requirements. Based on our experience administering the Comprehensive Centers program, we believe that the FTE requirements currently outlined in Requirement 9 for the National Center and Requirement 8 for Regional Centers align with the scope of work for the Comprehensive Centers program and ensure sufficient leadership capacity for operation and effective coordination and collaboration of the Centers. We encourage Centers to maximize flexibility within these requirements to ensure Center leadership is staffed at a level sufficient for achieving the goals of its assigned projects and responsibilities.

Changes: None.

Comments: One commenter provided feedback on the discussion in the background of the Program Requirements section regarding the requirement that all personnel in key leadership and service delivery roles be staffed as close to full-time equivalency as practical. The commenter expressed concern with the focus on full-time equivalency, particularly for staff in service delivery roles, given the challenges that single-project staffing can raise for long-term staff stability and recommended removing a requirement for reaching close to full-time

equivalency for staff in service delivery roles.

Discussion: We appreciate the interest in clarifying these requirements. Program Requirement 9 for the National Center, Program Requirement 8 for Regional Centers, and Program Requirement 7 for Content Centers only discuss full-time equivalency minimums for Directors and Co-Directors and do not establish specific requirements for other staff in service delivery roles. The requirements do state that key personnel must be able to provide services at the intensity, duration, and modality appropriate to achieving agreed-upon milestones, outputs, and outcomes described in annual service plans. Additionally, Program Requirement 5 for all Centers requires Centers to ensure that personnel are staffed at a level sufficient for achieving the goals of assigned projects and responsibilities. Although we do not specify a required staffing level for general project personnel, to help ensure that applicants have carefully considered the staffing level needed for the success of their proposed project, we are revising the relevant selection criterion under Quality of Project Design so that applicants have the opportunity to describe, and the Department has the opportunity to assess, their approach to addressing these requirements.

Changes: We have revised the selection criterion under Quality of Project Design for the personnel management system to include the extent to which the project is staffed at a level sufficient for achieving the goals of its proposed projects and responsibilities.

Comments: One commenter expressed the importance of considering how physical resources are distributed among students and how access to digital resources may be an effective means of providing enriching materials to underserved students through the Comprehensive Centers Program.

Discussion: We appreciate the commenter's recommendation to ensure services focus on promoting student access to educational resources. Under Program Requirement 3 for the Regional Centers, Centers must ensure services are provided to support students and communities with the highest needs. Needs are determined through consulting with a broad range of stakeholders, outlined in Program Requirement 2 for Regional Centers. We believe these requirements permit Centers to focus services on promoting access to educational resources for students with the highest needs within their regions, as determined by and with

the communities they serve. In addition, Priority 1 emphasizes the implementation and scaling up of evidence-based programs, practices, and interventions that address other emerging education topics of national importance that are not being met by another federally funded provider (e.g., evidence-based practices in the use of education technology), thus providing support across Regions for services that may address such needs identified by multiple States across regions.

Changes: None.

Comments: One commenter requested information related to the program performance measures referenced in the proposed Program Requirements for all Centers.

Discussion: We appreciate the comment requesting information about the program performance measures. The final program performance measures were established in the 2019 NFP. The final performance measures will additionally be included in the NIA.

Changes: None.

Comments: One commenter requested that the Department strengthen the requirements and selection criteria for the Comprehensive Centers program by specifying an evaluation requirement for each Center in line with 34 CFR 75.210 General selection criteria, as well as participation in a national evaluation. The commenter shared that a clear evaluation requirement would provide distinction among similar terms related to the required performance management systems and processes as written in the Program Requirements for all Centers and the Selection Criteria under Quality of Project Design.

Discussion: We appreciate the commenter's recommendation and request for clarification of the proposed program and application requirements related to performance management and evaluation. The Department believes that proposed program requirements are aligned to 34 CFR 75.210 as evidenced by the requirement for Centers to develop and implement an effective performance management system that integrates continuous improvement and summative evaluation methods to monitor progress towards agreed upon outcomes, outputs, and milestones to measure the reach, use, and impact of the services being delivered. This integrated approach will help ensure capacity-building services are implemented as intended and desired results are achieved. The performance management system must also include strategies to report on defined program performance measures. Additionally, as the commenter notes, Centers are required to participate in a national

evaluation of the Comprehensive Centers Program as described in section 204 of the ETAA. To clarify the intent that Centers integrate best practices in continuous improvement to manage and evaluate project performance to provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes, we have added language to explicitly include evaluation in the proposed performance management system as defined.

Changes: We have revised the program requirement and application requirements for all Centers and aligned selection criteria language, under Quality of Project Design, to reference evaluation as part of a performance management and evaluation system.

Requirements for National Comprehensive Center

Comments: Two commenters provided feedback on Program Requirement 9 for the National Center related to the requirement that the National Center is staffed with one Director at a minimum 1.0 FTE or two Co-Directors at .75 FTE. One commenter recommended decreasing the FTE requirements for the National Center to a minimum .75 Director or 1.0 FTE split across two Co-Directors, in alignment to the requirement for Regional Centers. The other commenter agreed that the FTE requirements should be higher for the National Center leadership and recommended that the FTE requirements be increased to a minimum of 1.5 FTE total for Center leadership but that this could be achieved through various leadership roles such as Director and Co-Director, two Co-Directors, or a Director and a Deputy Director.

Discussion: We appreciate the feedback from the commenters related to the FTE requirements for the National Center. However, we disagree with the recommendations to revise the FTE requirements. Based on our experience administering the Comprehensive Center program, we believe that the FTE requirements currently outlined in Requirement 9 for the National Center align with the significant scope of work assigned to the National Comprehensive Center and that a reduction as recommended by the first commenter would not provide sufficient leadership capacity for effective coordination and collaboration of the CCNetwork. Related to the comment on increasing the minimum FTE to 1.5 to be shared across leadership roles, we appreciate the emphasis on ensuring adequate leadership capacity for the National Center, especially considering its multifaceted responsibilities, and agree

with the spirit of the recommendation. However, we believe that the requirement as written already provides applicants the flexibility to propose a 1.5 FTE across two Co-Directors if desired, or the option of one full-time Director and a Deputy Director at less than .75 FTE. We believe that providing this flexibility will allow applicants to design a staffing model aligned to their budget while still ensuring sufficient leadership capacity commensurate with the complexity of the work scope of the National Center.

Changes: None.

Comment: One commenter noted support for the role of the National Center to coordinate and support the Regional Comprehensive Centers. The commenter recommended requiring the National Center to set aside a percentage of annual funding to support dissemination of Regional Center strategies, tools, and resources.

Discussion: The Department appreciates the commenter's support for the important function of the National Center to support Regional Centers, as well as its responsibility to disseminate information and resources from all Centers within the CCNetwork. Accordingly, Program Requirements 5, 6, 7, and 8 for the National Center require the National Center to implement such support and dissemination activities, and Program Requirement 10 for the National Center requires it to reserve a portion of its budget to address these requirements.

Changes: None.

Comment: One commenter asked how the Department defines "fidelity measures" in the annual service plan as referenced in Program Requirement 1 for all Centers.

Discussion: We appreciate the commenter's request to clarify how the Department defines the term fidelity measures referenced in Program Requirement 1. The Comprehensive Centers program has established performance measures for the purposes of reporting under 34 CFR 75.110. Measure 3 evaluates the extent to which Comprehensive Centers demonstrate that capacity-building services were implemented as intended, which serves as a fidelity measure. This term is derived from implementation science and should help Centers understand whether services implemented as designed produce the desired capacity-building outcomes. While the Department will provide guidelines to grantees on reporting performance measures, we believe applicants are best positioned to propose their own measures of implementation fidelity, for example, in responding to Application

Requirement 5 to present a logic model for the project.

Changes: None.

Requirements for Regional Centers

Comments: Four commenters provided feedback on Program Requirement 8 for Regional Centers. Under this requirement, the grantee must be located in the region the Center serves and the Director(s) and key personnel must be able to provide on-site services. Two commenters expressed support for requiring locally based staff, with one commenter recommending that the Director or Co-Directors be located in the region the Center serves, and another noting the importance of local personnel to ensure the needs of underserved students are met by the program. Two other commenters did not support the location requirements, noting the evolution of and ability to maximize remote work. One of these commenters noted that they did not think it was important for a Director to be physically located in the region; the other recommended that the requirement that grantees be located in the region the Center serves be eliminated.

Discussion: We appreciate the support and feedback from the commenters regarding the requirement that Regional Centers be located in the region they serve. We also appreciate the commenters raising the flexibilities enabled through virtual and remote work and agree that Regional Centers may benefit from employing personnel outside of a specific geographic region. Based on the Department's experience administering the program, we believe it is important for each Regional Center to establish a presence in the region served, which includes having a physical presence in the region and ensuring staff are able to provide on-site services to recipients and clients. This approach supports Regional Center leadership and teams to have experiential awareness and context of the regions they serve and minimizes, to the extent practicable, costs and resources related to travel to support clients geographically distant from their locations when serving States in a region. Having personnel available to provide on-site services in the region is instrumental in building connections, understanding local contexts, and ensuring that the Center's efforts are responsive and aligned to the needs of the region served. However, we note that Requirement 8 does not require that all Center staff are physically based in the geographic region. We believe that the requirement as written provides Centers with appropriate flexibility

regarding geographic residency of staff while still ensuring adequate presence within the region served to support regional service delivery. As such, we decline to make changes in response to these comments.

Changes: None.

Comments: One commenter requested clarification on language in the background of the Program Requirements section discussing requirements for Regional Centers to share information and disseminate effective practices outside their respective regions.

Discussion: We appreciate the interest in clarifying requirements of Regional Centers to share information outside their regions. We note that we do not include a background section in the NFP. Therefore, we are not making any changes in response to these comments. However, we wish to clarify that we believe the Centers will benefit by learning from each other and that program requirements established in this document for the National Center to develop, and for all Centers to participate in, peer learning opportunities will meet this aim.

Changes: None.

Comment: One commenter requested further clarification on how cross-region efforts would be carried out.

Discussion: We appreciate the comment and need for clarification. We note several elements of Priority 1 that establish responsibility with the National Center to implement effective strategies for coordinating with the Regional Centers and Content Centers to assess educational needs; coordinate common areas of support across Centers; share and disseminate information about CCNetwork services, tools, and resources to maximize the reach of the CCNetwork across clients and education stakeholders, among other responsibilities. Program Requirements for the National Center further describe the National Center's responsibilities, including to design and implement communications and dissemination vehicles for the CCNetwork, develop peer learning opportunities for Center staff, and to collect and share information about services provided through the CCNetwork for the purpose of coordination, collaboration, and communication across Centers and other providers. Additionally, the National Center must design and implement robust needs-sensing activities and processes to consult with and integrate feedback from the Department, Regional and Content Centers, to explore areas of national need that may be addressed through

targeted and universal capacity-building services in its own service plan, or to inform the work of other Centers. Additionally, requirements for the Regional and Content Centers support their dedication of resources to collaboration and coordination with the National Center and their participation in peer learning opportunities to support cross-regional continuous improvement and evidence building within the CCNetwork. We believe the priorities and requirements provide sufficient guidance on the Department's expectations regarding cross-regional collaboration and the responsibilities of each Center within the CCNetwork to support and participate in those efforts to achieve the stated goals of the program. The Cooperative Agreement will further outline specific requirements for grantees regarding cross-regional collaboration.

Changes: None.

Comment: One commenter suggested that due to the reorganization of some State agencies, there may be more than one center of education leadership in States, resulting in the need to identify additional members of State leadership to consult on Center needs-sensing activities.

Discussion: We appreciate the commenter's feedback regarding the variety of educational leadership models across States. We believe the program requirements as written support flexible engagement with multiple State leadership models. Program Requirement 2 for Regional Centers requires Centers to consult with a broad range of stakeholders, including chief State school officers (CSSOs) and other SEA leaders, and integrate their feedback in developing the annual service plan. We also note that Program Requirement 4 for all Centers requires Centers to develop and implement a stakeholder engagement system to regularly communicate, engage, and coordinate across organizational levels (Federal, State, and local) and facilitate regular engagement of stakeholders involved in or affected by proposed services, which would include education leaders in each State. Finally, we note that the ETAA requires Centers to have an advisory board that is composed of the CSSOs, or such officers' designees or other State officials, in each State served by the Center who have primary responsibility under State law for elementary and secondary education in the State, and that in the case of a State in which the chief executive officer has the primary responsibility under State law for elementary and secondary education in the State, the chief executive officer

shall consult, to the extent permitted by State law, with the SEA in selecting additional members of the board. We believe these provisions provide adequate flexibility for Comprehensive Centers to consult with and include State education leaders in determining the needs and priorities for each Regional Center.

Changes: None.

Application Requirements

Application Requirements for All Centers

Comments: Two commenters discussed the overall number of and breadth of the requirements, priorities, definitions, and selection criteria. Both commenters suggested that the Department provide applicants with guidance on how to organize their applications.

Discussion: We appreciate the commenters' feedback. The Department will provide pre-application technical assistance to applicants that includes suggestions for organizing applications and overviews how selection criteria will be used to evaluate responses to the program priorities and application requirements. Additionally, the Department notes several changes to the selection criteria, described in the next section, to more clearly align them to specific priority elements and requirements. For example, the Department is revising the application requirements regarding the applicant's approach to capacity-building to more clearly align the requirement to the relevant priorities and selection criteria by clarifying how applicants may organize their application narratives in response to these criteria.

Changes: We have revised the application requirements and selection criteria to more clearly align with each other, the priorities, and the program requirements.

Comment: One commenter requested that the Department establish a firm page limit for the application narrative and provide the level of detail expected in five-year plans and other elements of the application.

Discussion: We appreciate the commenter's feedback regarding the establishment of a page limit and detailed guidelines for the proposed application narrative. The Department agrees that it is important to assist applicants in understanding expectations for detail in and length of its proposal. It is not the Department's practice to establish page limits for discretionary grant applications, however a recommended page limit will be provided in the NIA to assist

applicants in their response. Pre-application technical assistance will be provided to review the requirements and provide guidance to applicants. For applicant resources for Department grants generally, please visit: <https://www2.ed.gov/fund/grant/about/training-management.html>.

Changes: None.

Comments: One commenter requested clarification on Application Requirement 5 for all Centers, which requires applicants to present a logic model explaining how the project is likely to improve or achieve relevant and expected outcomes. The commenter requested clarification on the scope of the logic model and whether it should be focused broadly on the Comprehensive Center program or if applicants should provide a logic model for each project within their specific proposal.

Discussion: We clarify that Application Requirement 5 requires each applicant to provide one logic model relevant to their proposed project as a part of their application for funding to demonstrate their approach to responding to the relevant priority of the Comprehensive Centers program. The application requirement does not include a separate logic model for each activity within the project proposal.

Changes: None.

Comments: Two commenters expressed concern that potential applicants could use data from the current national evaluation of the Comprehensive Centers program to their advantage in the upcoming competition.

Discussion: The Institute of Education Science is overseeing the current national evaluation of the Comprehensive Centers, which will be completed later in 2024. The data from this evaluation were primarily self-reported perceptions of how the work was organized and the challenges faced during what was a very unusual period, 2020–2022, with the objective of providing systemwide insights for program improvement. Even though data were collected from and about each Center, none of these data present a conflict of interest or could give an applicant an advantage in the new competition. Furthermore, all contractors conducting work for IES are legally bound to uphold federal privacy and confidentiality laws and requirements.

Changes: None.

Application Requirements for Regional Centers

Comment: One commenter requested clarification on whether applicants for Regional Centers were required to

submit five-year service plans or 1-year service plans and whether a plan must be submitted for each State within a region.

Discussion: We appreciate the commenter's request to clarify how annual service plans should be included in applications to this program. Applicants should detail an approach to capacity building for the five-year project period that includes a description of the applicant's approach to addressing the priority to which they are applying, as indicated in the application requirements, including, for example, the educational challenges proposed to be addressed, the scope of services proposed by the project, potential partners, and the specific State and local outcomes that would represent significant achievement toward the program's desired outcomes. In the case of applicants for Regional Centers, the approach should also include the proposed approach to intensive capacity-building services, including identification of intended recipients, as specified in the Application Requirements for Regional Centers. These aspects of the applicant's proposed approach will be reviewed and scored under the selection criteria for the Approach to Capacity Building. The Department notes that annual service plans referenced under the Program Requirements for all Centers will be established post-award, and details and requirements for such service plans will be further detailed in Cooperative Agreements with grantees.

Changes: We have revised the Application Requirements 1 and 2 for all Centers to clarify that a proposal should detail the applicant's approach to capacity building under the priority for which they are applying.

Definitions

Comment: One commenter expressed general support for the proposed definition for the term capacity building and in particular the four proposed dimensions of capacity building: human, organizational, policy, and resource capacity building. The commenter elaborated with specific examples of the importance of human and organizational capacity building, particularly in their work in rural communities.

Discussion: The Department appreciates the support for the definition of capacity building as well as the commenter's discussion of their experience related to this work in rural communities.

Changes: None.

Comments: One commenter raised questions and concerns regarding the

definitions of the terms client and recipient. The commenter expressed concern that under these definitions, organizations that may potentially qualify as clients or recipients would expand the scope of work of the Comprehensive Centers beyond that described in the ETAA. The commenter specifically questioned whether, based on these definitions, Centers could work with public and/or private colleges and universities as clients or recipients.

Discussion: The Department appreciates the commenter's concern and recommendations to clarify the types of organizations that may be clients or recipients of services under the Comprehensive Center program. We emphasize that the ETAA authorizes Centers to provide services to SEAs, LEAs, REAs, and schools in the region where such center is located, and that the Department has clarified in prior competitions that it considers REAs to include TEAs, as is further clarified in the proposed definitions. The Department further clarifies that private or public colleges and universities, to the extent that they are not eligible to enter into agreement for negotiated capacity-building services, would not be direct clients of capacity-building services provided by the Centers, though they may be recipients of services if, for example, they are included as partners of the primary clients being served (e.g., a university partnering with an SEA, LEA, or other client on establishing educator preparation pathways to address identified needs related to educator shortages) or if they choose to participate in universal technical assistance that is open to broader public participation.

Changes: None.

Comment: One commenter requested clarification of how the Department defines the term performance management and suggested narrowing of the term as it appears to be used inconsistently in the NPP.

Discussion: We appreciate the commenter's request for clarification of the term performance management. We consider performance management to include activities that provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes to continuously improve the quality and efficacy of service delivery. We have aligned Program Requirement 3 for all Centers requiring a performance management and evaluation system with Application Requirement 7 and the aligned selection criteria under Quality of Project Design to clarify our intent and allow applicants to describe how

they would establish and implement a performance and evaluation system. As evidenced in the proposed program requirement, we believe that effective performance management and evaluation integrates ongoing, continuous improvement and summative evaluation methods to monitor progress towards agreed upon outcomes, outputs, and milestones to measure the reach, use, and impact of the services being delivered.

Changes: We have revised Program Requirement 3 for all Centers, Application Requirement 7, and aligned selection criteria under Quality of Project Design to describe the performance management and evaluation system.

Comments: One commenter expressed general support for the Department's definition of the term *outcomes* particularly to include short-term, medium-term, and long-term outcomes.

Discussion: We appreciate the commenter's support for and feedback on the definition of the term *outcomes*.

Changes: None.

Selection Criteria

Comment: One commenter asked for point values assigned to the selection criteria.

Discussion: We appreciate the commenter's feedback and note that we will assign specific point values for selection criteria in the NIA. Additionally, we will provide pre-application technical assistance that addresses the selection criteria, and their point values, by which proposals will be evaluated.

Changes: None.

Comment: A few commenters provided feedback on the overall breadth and complexity of the selection criteria. One commenter recommended the Department streamline the selection criteria to focus on the most critical priorities. Another commenter noted the complexity of the criteria and potential confusion regarding which criteria apply to each priority (National, Regional, or Content Centers). One commenter shared concern about the overall complexity of priorities and requirements, and made recommendations for areas to clarify, including streamlining selection criteria to focus on the most critical priorities and requirements, providing more clear organization to the criteria, and offering a clear template to guide applicants' response in their applications.

Discussion: In response to the commenters' feedback, we are revising the selection criteria to more clearly align them with the priorities and requirements. Specifically, the

Department revises the criterion on Approach to Capacity Building for all Centers and specifically for the National, Regional, and Content Centers, to align the criterion with individual elements of each priority. Additionally, the Department is revising the Quality of Project Design criterion for the National Center to focus on the requirements related to coordinating and overseeing the work of the CCNetwork. Further, the Department will clearly indicate in the NIA which selection criteria apply to applications for a Regional, Content, or National Center and assigns point values to each criterion. Additionally, we will offer pre-application technical assistance that includes guidance on how applicants can organize their applications to align with the selection criteria.

Changes: We have revised the selection criteria for Approach to Capacity Building and Quality of Project Design to more clearly align them with the priorities and requirements.

Comment: One commenter requested clarification on how the selection criteria would apply to annual service plans required under the Program Requirements for all Centers.

Discussion: We appreciate the commenter's request for clarification on how selection criteria will be applied to annual service plans and agree that language under the program requirements, application requirements, and selection criteria should be clarified as it relates to how annual plans should be included in applications to this program. We clarify above that applicants to this program should detail an approach to capacity building for the five-year project period as indicated in the application requirements. The applicant's proposed approach will be reviewed and scored under the selection criteria for the Approach to Capacity Building. Additionally, we will provide pre-application technical assistance that explains how the selection criteria align to the priorities and requirements.

Changes: We revised the selection criteria under the Approach to Capacity Building to further clarify how they will be used to evaluate the extent to which applicants meet certain aspects of the priority for each Center through their proposed approach to capacity building detailed in their application.

Comment: One commenter requested clarification on how the term capacity-building plan referenced in the selection criteria for Regional Centers and the National Center aligned to other terms and requirements in the NPP, specifically noting references elsewhere in the selection criteria to "technical

assistance plans" and whether these terms are interchangeable.

Discussion: We appreciate the commenter raising the question regarding how the term *capacity-building plan* is used in the NPP in relation to other similar terms and agree that clarification is needed. To simplify the language, and more clearly link the program and application requirements to the selection criteria, we have replaced references to capacity-building and technical assistance plans with reference to the applicant's approach to capacity building.

Changes: We have revised the Approach to Capacity Building selection criteria for the National Center, Regional Centers, and Content Centers to streamline the language.

Comments: One commenter requested clarification between subject matter, content, and technical expertise.

Discussion: We appreciate the commenter's request for clarification. In the selection criteria under Subject Matter and Technical Assistance Expertise, the Department differentiates subject matter expertise and technical assistance expertise as aligned to the relevant Application Requirements for all Centers. The Subject Matter and Technical Assistance Expertise selection criteria acknowledge the importance of these two areas of expertise, and we agree that the criteria should further clarify the distinction between the two types of expertise. As defined in this document, "subject matter expertise" may include expert knowledge of statutory requirements, regulations, and policies related to ESEA programs, current education issues, and policy initiatives, as well as demonstrated experience in content areas for which an individual is engaged as an expert including, for example, publishing in peer-reviewed journals, presenting at conferences, and relevant experience in operating and administering ESEA programs in State and local educational systems. Expertise in providing technical assistance may include expertise in the current research on adult learning principles, coaching, and implementation science.

Changes: We have revised the selection criteria under Subject Matter and Technical Assistance Expertise to clarify the alignment of these terms to the application requirements.

Final Priorities

Priority 1—National Comprehensive Center.

Projects that propose to establish a National Center to (1) provide high-quality, high-impact technical assistance and capacity-building

services to the Nation that are designed to improve educational opportunities, educator practice, and student outcomes and (2) coordinate the work of the CCNetwork to effectively use program resources to support evidence use and the implementation of evidence-based (as defined in 34 CFR 77.1) practices to close opportunity gaps and improve educational outcomes, particularly accelerating academic achievement in math and literacy for all students, and particularly for groups of students with the greatest need, including students from low-income families and students attending schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA, in a manner that reaches and supports as many SEAs, REAs, TEAs, LEAs, and schools in need of services as possible.

The National Center must design and implement an effective approach to providing high-quality, useful, and relevant universal, targeted, and, as appropriate and in partnership with Regional Centers, intensive capacity-building services that are likely to achieve desired recipient outcomes. The approach must be driven by adult learning principles and incorporate implementation, improvement, and systems change frameworks, and must promote alignment across interconnected areas of need, programs, and agency systems.

The National Center must implement effective strategies for coordinating and collaborating with the Regional Centers and Content Centers to assess educational needs; coordinate common areas of support across Centers; communicate about the work of the CCNetwork, including sharing and disseminating information about CCNetwork services, tools, and resources to maximize the reach of the CCNetwork across clients and education stakeholders; coordinate with other federally funded providers regarding the work of the CCNetwork and help clients navigate available support; and support the selection, implementation, scale-up, and dissemination of evidence-based practices that will improve educational opportunities and outcomes, particularly academic achievement in math and literacy, and close achievement gaps for all students, particularly for groups of students with the greatest need, including students from low-income families and students attending schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement

activities under section 1111(d) of the ESEA.

Services must address: common high-leverage problems identified in Regional Center service plans (as outlined in the Program Requirements for the National Center); findings from finalized Department monitoring reports or audit findings; implementation challenges faced by States and LEAs related to teaching, learning, and development; needs of schools designated for improvement; needs related to closing opportunity and achievement gaps; needs to improve core academic instruction; and emerging education topics of national importance.

The National Center must provide universal and targeted capacity-building services that demonstrably assist SEAs, REAs, TEAs, LEAs, and Regional Center clients and recipients to—

(1) Implement approved ESEA Consolidated State Plans, with preference given to implementing and scaling evidence-based programs, practices, and interventions that directly benefit entities that have high percentages or numbers of students from low-income families as referenced in title I, part A of the ESEA (ESEA sec. 1113(a)(5));

(2) Implement and scale up evidence-based programs, practices, and interventions that lead to the increased capacity of SEAs and LEAs to address the unique educational challenges and improve outcomes of schools implementing comprehensive support and improvement activities or targeted or additional targeted support and improvement activities as referenced in title I, part A of the ESEA (ESEA sec. 1111(d)) and their students;

(3) Implement State accountability and assessment systems consistent with title I, part A of the ESEA (ESEA section 1111(b)–(d)), including the requirement for States to conduct resource allocation reviews under ESEA section 1111(d)(3)(A)(ii);

(4) Implement and scale up evidence-based programs, practices, and interventions that improve instruction and outcomes in core academic subjects, including math and literacy instruction;

(5) Address the unique educational obstacles faced by rural and Tribal students; and

(6) Implement and scale up evidence-based programs, practices, and interventions that address other emerging education topics of national importance that are not being met by another federally funded technical assistance provider (e.g., best practices in the use of education technology, student support strategies promoting digital literacy and access, etc.).

An applicant under this priority must demonstrate how it will cultivate a network of national subject matter experts from a diverse set of perspectives or organizations to provide capacity-building support to Regional Centers and clients regarding the ESEA topical areas listed above and other emerging education issues of national importance.

Priority 2—Regional Centers.

Projects that propose to establish Regional Centers to provide high-quality, useful, and relevant intensive capacity-building services to State and local clients and recipients to assist them in selecting, implementing, and sustaining evidence-based programs, practices, and interventions that will result in improved educator practice and student outcomes, especially in math and literacy. The approach must be driven by adult learning principles and incorporate implementation, improvement, and systems change frameworks.

Each Regional Center must provide high-quality, useful, and relevant capacity-building services that demonstrably assist clients and recipients in—

(1) Carrying out Consolidated State Plans approved under the ESEA, with preference given to the implementation and scaling up of evidence-based programs, practices, and interventions that directly benefit recipients that have high percentages or numbers of students from low-income families as referenced in title I, part A of the ESEA (ESEA sec. 1113(a)(5)) and recipients that are implementing comprehensive support and improvement activities or targeted or additional targeted support and improvement activities as referenced in title I, part A of the ESEA (ESEA sec. 1111(d)), including the requirement for States to conduct resource allocation reviews required under ESEA section 1111(d)(3)(A)(ii);

(2) Implementing, scaling up, and sustaining evidence-based programs, practices, or interventions that focus on key initiatives that lead to LEAs and schools improving student outcomes. Key initiatives may include implementing evidence-based practices to help accelerate academic achievement in math and literacy (including high-impact tutoring, high-quality summer and after-school learning and enrichment, and effective interventions to reduce chronic absenteeism and increase student engagement), improving core academic instruction, implementing innovative and promising approaches to systems of high-quality assessment (including diagnostic, formative and interim

assessments to inform instructional design), addressing educator shortages (including recruitment, preparation, and retention), or developing aligned and integrated agency systems;

(3) Addressing the unique educational obstacles faced by underserved populations, including students from low-income families, students of color, students living in rural areas, Tribal students, English learners, students in foster care, migratory children, immigrant children and youth, and other student populations with specific needs defined in the ESEA, which may include neglected, delinquent, and at-risk children and youth, and homeless children and youths; and

(4) Improving implementation of ESEA programs including collecting and reporting program data and addressing corrective actions or results from audit findings and ESEA program monitoring, conducted by the Department, that are programmatic in nature, at the request of the client.

Regional Centers must effectively work with the National Center and Content Centers, as needed, to assist clients in selecting, implementing, and sustaining evidence-based programs, policies, practices, and interventions; and must develop cost-effective strategies to make their services available to as many SEAs, REAs, TEAs, LEAs, and schools within the region in need of support as possible.

Applicants must propose to operate a Regional Center in one of the following regions:

Region 1 (Northeast): Connecticut, Massachusetts, Maine, New Hampshire, New York, Rhode Island, Vermont

Region 2 (Islands): Puerto Rico, Virgin Islands

Region 3 (Mid-Atlantic): Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania

Region 4 (Appalachia): Kentucky, Tennessee, Virginia, West Virginia

Region 5 (Southeast): Georgia, North Carolina, South Carolina

Region 6 (Gulf): Alabama, Florida, Mississippi

Region 7 (Midwest): Indiana, Michigan, Ohio, Illinois, Iowa, Minnesota, Wisconsin

Region 8 (Central): Colorado, Kansas, Missouri, Nebraska, North Dakota, South Dakota, Wyoming

Region 9 (Southwest): Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Region 10 (West): Arizona, California, Nevada, Utah

Region 11 (Northwest): Alaska, Oregon, Washington, Idaho, Montana

Region 12 (Pacific 1): American Samoa, Hawaii, Republic of the Marshall Islands

Region 13 (Pacific 2): Commonwealth of the Northern Mariana Islands, Federated States of Micronesia, Guam, Palau

Region 14: Bureau of Indian Education
Priority 3—Content Centers.

Projects that propose to establish Content Centers to provide high-quality, useful, and relevant targeted and universal capacity-building services in a designated content area of expertise to SEA, REA, TEA, and LEA clients designed to improve educational opportunities, educator practice, and student outcomes.

Content Centers must be designed to build the capacity of practitioners, education system leaders, public schools serving preschool through 12th grades (P–12) (which may include Head Start and community-based preschool), LEAs, and SEAs to use evidence in the designated content area. Capacity-building services may include, for example, developing evidence-based products and tools, and providing services that directly inform the use of evidence in a State or local policy or program or improved program implementation to achieve desired educational outcomes. The approach must be driven by adult learning principles and incorporate implementation, improvement, and systems change frameworks. Services must promote the use of the latest evidence, including research and data; be effectively delivered using best practices in technical assistance and training; and demonstrate a rationale for how they will result in improved recipient outcomes.

Content Centers must support Regional Centers, as needed, with subject matter expertise to enhance the intensive capacity-building services provided by the Regional Centers or to design universal or targeted capacity-building services to meet identified SEA, REA, TEA, or LEA needs.

Content Centers must effectively coordinate and align targeted and universal capacity-building services with the National Center, Regional Centers, and other federally funded providers, as appropriate, to address high-leverage problems and provide access to urgently needed services to build Centers' capacity to support SEAs and local clients. Content Centers must effectively coordinate with the National Center, Regional Centers, and other federally funded providers to assess potential client needs, avoid duplication of services, and widely disseminate

products or tools to practitioners, education system leaders, and policymakers in formats that are high quality, easily accessible, understandable, and actionable to ensure the use of services by as many SEA, REA, TEA, and LEA recipients as possible.

Applicants must propose to operate a Content Center in one of the following areas:

(1) *English Learners and Multilingualism*: The Center on English Learners and Multilingualism must provide universal, targeted, and, as appropriate and in partnership with Regional Centers, intensive capacity-building services designed to support SEAs and LEAs to meet the needs of English learners beginning with early language acquisition and development, meet the needs of English learners with disabilities, and increase access to high-quality language programs so that they, along with all students, have the opportunity to become multilingual. The Center must also support the selection, implementation, and scale-up of evidence-based practices, in coordination with the National Clearinghouse for English Language Acquisition, related to meeting the needs of English learners.

(2) *Early School Success*: The Center for Early School Success must provide universal, targeted, and, as appropriate, and in partnership with Regional Centers, intensive capacity-building services designed to support SEAs and LEAs to implement comprehensive and aligned preschool to third-grade (PK–3) early learning systems in order to increase the number of children who experience success in early learning and achievement, including by increasing the number of children who meet challenging State academic standards; supporting effective transitions to kindergarten; partnerships with parents and families on everyday school attendance; and developmentally informed and evidence-based instructional practices in social and emotional development, early literacy, and math. The Center must support the selection, implementation, and scale-up of programs, policies, and practices, informed by research on child development, that can strengthen the quality of PK–3 learning experiences and support social, emotional, cognitive, and physical development.

(3) *Fiscal Equity*: The Center on Fiscal Equity must provide universal, targeted, and, as appropriate, and in partnership with Regional Centers, intensive capacity-building services designed to support SEAs and LEAs in strengthening equitable and adequate

resource allocation strategies, including the allocation of State and local resources; improving the quality and transparency of fiscal data at the school level; and prioritizing supports for students and communities with the greatest need, including schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA in collaboration with the National Center. The Center must support the selection, implementation, and scale-up of evidence-based programs, policies, and practices that promote responsible fiscal planning and management, and effective and permissible uses of ESEA formula funds, including through combining those funds with other available and allowable Federal, State, and local funds (“blending and braiding”) and considering how ESEA funds may interact with and complement other Federal programs, such as IDEA, Medicaid, and Head Start to improve student opportunities and outcomes.

(4) *Strengthening and Supporting the Educator Workforce:* The Center on Strengthening and Supporting the Educator Workforce must provide universal, targeted, and, as appropriate and in partnership with Regional Centers, intensive capacity-building services designed to support SEAs to support their LEAs, schools, and their partners (e.g., educator preparation programs, workforce boards, labor unions) in designing and scaling practices that establish and enhance high-quality, comprehensive, evidence-based, and affordable educator pathways, including educator residency and Grow Your Own programs, as well as emerging pathways into the profession such as registered apprenticeship programs for teachers; and in improving educator diversity, recruitment, and retention. The Center must support the selection, implementation, and scale-up of evidence-based programs, policies, and practices that will support States, LEAs, and their partners in addressing educator shortages and providing all students with highly qualified educators across the P–12 continuum, including through increased compensation and improved working conditions; high-quality, comprehensive, evidence-based, and affordable educator preparation, including educator residency and Grow Your Own programs, as well as emerging pathways into the profession such as registered apprenticeship programs for teachers; providing opportunities for teacher leadership and

career advancement; ongoing professional learning throughout educators’ careers, including implementing evidence-based strategies for effective teaching and learning; strengthening novice teacher induction; and supporting and diversifying the educator workforce, as well as other actions to improve learning conditions and educator well-being.

Types of Priorities:

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Final Requirements

Program Requirements:

The Department establishes the following program requirements for this program. We may apply one or more of these requirements in any year in which this program is in effect.

Program Requirements for All Centers: National, Regional, and Content Center grantees under this program must:

(1) Develop service plans annually for carrying out the technical assistance and capacity-building activities to be delivered by the Center in response to educational challenges facing students, practitioners, and education system leaders. Plans must include: High-leverage problems to be addressed, including identified client needs, capacity-building services to be delivered, time-based outcomes (i.e., short-term, mid-term, long-term), responsible personnel, key technical assistance partners, milestones, outputs, dissemination plans, fidelity measures, if appropriate, and any other elements specified by the Department. The

annual service plans must be an update to the Center’s five-year plan submitted as part of the initial grant application and account for changes in client needs.

(2) Develop and implement capacity-building services, including tools and resources, in partnership with State and local clients and recipients to reflect and address specific client needs and contexts and promote sustainable evidence utilization to address identified educational challenges.

(3) Develop and implement an effective performance management and evaluation system that integrates continuous improvement to promote effective achievement of client outcomes. The system must include methods to measure and monitor progress towards agreed upon outcomes, outputs, and milestones and to measure the reach, use, and impact of the services being delivered to ensure capacity-building services are implemented as intended, reaching intended clients and recipients, and achieving desired results. Progress monitoring must include periodic assessment of client satisfaction and timely identification of changes in State contexts that may impact the project’s success. The performance management system must include strategies to report on defined program performance measures.

(4) Develop and implement a stakeholder engagement system to regularly communicate, engage, and coordinate, using feedback to inform improvement, across organizational levels (Federal, State, and local), and facilitate regular engagement of stakeholders involved in or affected by proposed services. This system must provide regular and ongoing opportunities for outreach activities (e.g., ongoing promotion of services and products to potential and current recipients, particularly at the local level) and regular opportunities for engagement with potential beneficiaries or participants involved in or impacted by proposed school improvement activities (e.g., students, parents, educators, administrators, Tribal leaders) to ensure services reflect their needs.

(5) Develop and implement a high-quality personnel management system to efficiently obtain and retain the services of nationally recognized technical and content experts and other consultants with direct experience working with SEAs, REAs, and LEAs. The Center must ensure that personnel have the appropriate expertise to deliver high-quality capacity-building services that meet client and recipient need and be staffed at a level sufficient for

achieving the goals of its assigned projects and responsibilities.

(6) Develop and implement a comprehensive communication and dissemination plan that includes strategies to disseminate information in multiple formats and mediums (e.g., evidence-based practice tool kits, briefs, informational webinars) including through CCNetwork websites, social media, and other methods as appropriate, and strategies to measure and monitor the use of the information it disseminates. The plan must include approaches to determine, at the outset of each project, in consultation with clients, the most effective modality and methodology for capturing evidence-based practices and lessons learned, dissemination strategies customized and based on needs of the targeted audience(s), and strategies to monitor and measure audience engagement and use of information and products of the Center. Centers must work with partners to disseminate products through networks in which the targeted audiences are most likely to seek or receive information, with the goal of expanding the reach of Centers to the largest number of recipients possible.

(7) Identify and enter into partnership agreements with federally funded providers, State and national organizations, businesses, and industry experts, as applicable, to support States in the implementation and scaling-up of evidence-based programs, practices, and interventions, as well as reduce duplication of services and engagement burden to States. Where appropriate, the agreements should document how the partnerships might advance along a continuum to effectively meet program and client goals.

(8) Within 90 days of receiving funding for an award, demonstrate to the Department that it has secured client and partner commitments to carry out proposed annual service plans.

(9) Participate in a national evaluation of the Comprehensive Centers Program.

Program Requirements for National Comprehensive Center: In addition to the requirements for all Centers, National Center grantees under this program must:

(1) Design and implement robust needs-sensing activities and processes to consult with and integrate feedback from the Department, Regional and Content Centers, and advisory boards that surface high-leverage problems that could be effectively addressed in developing the national annual service plan.

(2) Collaborate with Regional and Content Centers to implement universal and targeted services for recipients to

address high-leverage problems identified in the annual service plan. In providing targeted services (e.g., multi-State and cross-regional peer-to-peer exchanges or communities of practice on problems), the National Center must provide opportunities for recipients to learn from their peers and subject matter experts and apply evidence-based practices and must define tangible, achievable capacity-building outcomes for recipient participation. Universal services must be grounded in evidence-based practices, be produced in a manner that recipients are most likely to use, be shared via multiple digital platforms, such as the CCNetwork website, social media, and other channels as appropriate, and be relevant for a variety of education stakeholders, including the general public.

(3) Develop and implement a strategy to recruit and retain a comprehensive cadre of national subject matter experts that includes qualified education practitioners, researchers, policy professionals, and other consultants with (1) direct experience working in or with SEAs, REAs, TEAs and LEAs and (2) in-depth expertise in specific subject areas with an understanding of State contexts available to support universal and targeted services of the National Center and intensive capacity-building services of Regional Centers. Cadre experts must have a proven record of designing and implementing effective capacity-building services, using evidence effectively, and delivering quality adult learning experiences or professional development experiences that meet client and recipient needs and must have recognized subject matter expertise including publishing in peer-reviewed journals and presenting at national conferences on the ESEA programs or content areas for which they are engaged as experts to provide universal, targeted, or intensive capacity building.

(4) Reserve not less than one half of the annual budget to provide universal, targeted, and, as needed, intensive services to address topics 1–5 enumerated in the priority for this Center and as approved by the Department in the annual service plan.

(5) Include in the communications and dissemination plan, and implement processes for outreach activities (e.g., regular promotion of services and products to clients and potential and current recipients), use of feedback loops across organizational levels (Federal, State, and local), regular engagement and coordination with the Department, Regional Centers, and partner organizations (e.g., federally funded providers), and engagement of

stakeholders involved in or impacted by proposed school improvement activities.

(6) Design and implement communications and dissemination vehicles for the CCNetwork, including maintaining the CCNetwork website with an easy-to-navigate design that meets government or industry recognized standards for accessibility, including compliance with Section 504 of the Rehabilitation Act of 1973, and maintain a consistent media presence, in collaboration with Regional and Content Centers and the Department Communications office, that promotes increased engagement.

(7) Develop peer learning opportunities for Regional and Content Center staff (and other partners, as appropriate) to address implementation challenges and scale effective practices to improve service delivery across the CCNetwork.

(8) Collect and share information about services provided through the CCNetwork for the purpose of coordination, collaboration, and communication across Centers and other providers, including an annual analysis of service plans to identify and disseminate information about services rendered across the CCNetwork.

(9) Ensure that the Project Director is capable of managing all aspects of the Center and is either staffed at 1 FTE or there are two Co-Project Directors each at a minimum of 0.75 FTE. The Project Director or Co-Project Directors and all key personnel must be able to provide services at the intensity, duration, and modality appropriate to achieving agreed-upon milestones, outputs, and outcomes described in annual service plans.

(10) Reserve not less than one third of the budget to address the program requirements for CCNetwork coordination (requirements 5 through 8).

Program Requirements for Regional Centers: In addition to the requirements for all Centers, Regional Center grantees under this program must:

(1) Actively coordinate and collaborate with the REL serving their region. Coordination must include annual joint need sensing in a manner designed to comprehensively inform service delivery across both programs while reducing burden on State agencies. The goals of this coordination and collaboration are to share, synthesize, and apply information, ideas, and lessons learned; to enable each type of provider to focus on its designated role; to ensure that work is non-duplicative; to streamline and simplify service provision to States and

LEAs; and to collaborate on projects to better support regional stakeholders.

(2) Consult with a broad range of stakeholders, including chief State school officers and other SEA leaders, TEAs, LEAs, educators, students, and parents, and integrate their feedback in developing the annual service plan to reflect the needs of all States (and to the extent practicable, of LEAs) within the region to be served.

(3) In developing the annual service plan, ensure services are provided to support students and communities with the highest needs, including recipients: (i) that have high percentages or numbers of students from low-income families as referenced in title I, part A of the ESEA (ESEA sec. 1113(a)(5)); (ii) that are implementing comprehensive support and improvement activities or targeted or additional targeted support and improvement activities as referenced in title I, part A of the ESEA (ESEA sec. 1111(d)); (iii) in rural areas; and (iv) serving student populations with demonstrated needs unmet or under-met through other Federal, State, or local interventions.

(4) Explore and provide opportunities to connect peers within and across regions.

(5) Collaborate with the National Center and Content Centers, as appropriate, including to support client and recipient participation in targeted capacity-building services, and obtain and retain the services of nationally recognized content experts through partnership with the National Center, Content Centers, or other federally funded providers.

(6) Support the participation of Regional Center staff in CCNetwork peer learning opportunities, including sharing information about effective practices in the region, to extend the Center's reach to as many SEAs, REAs, TEAs, LEAs, and schools in need of services as possible while also learning about effective capacity-building approaches to enhance the Center's ability to provide high-quality services.

(7) Within 90 days of receiving funding for an award, provide to the Department copies of partnership agreements with the REL(s) in the region that the Center serves and, as appropriate, other Department-funded technical assistance providers that are charged with supporting comprehensive, systemic changes in States or Department-funded technical assistance providers with particular expertise (e.g., early learning or instruction for English language learners) relevant to the region's service plan. Partnership agreements must define processes for coordination and

support collaboration to meet relevant program requirements.

(8) Be located in the region the Center serves. The Project Director must be capable of managing all aspects of the Center and be either at a minimum of 0.75 FTE or there must be two Co-Project Directors each at a minimum of 0.5 FTE. The Project Director or Co-Project Directors and key personnel must also be able to provide on-site services at the intensity, duration, and modality appropriate to achieving agreed-upon milestones, outputs, and outcomes described in annual service plans.

Program Requirements for Content Centers: In addition to the requirements for all Centers, Content Center grantees under this program must:

(1) Consult and integrate feedback from the Department and the National and Regional Centers in developing the annual service plan to inform high-quality tools, resources, and overall technical assistance in priority areas.

(2) Collaborate with Regional Centers to address specific requests for assistance from States within the regions and strengthen Regional Center staff knowledge and expertise on the evidence base and effective practices within its specific content area.

(3) Produce high-quality, universal capacity-building services, and identify, organize, select, and translate existing key research knowledge and Department guidance related to the Center's content area and examples of workable strategies and systems for implementing provisions and programs that have produced positive outcomes for schools and students, and communicate the information in ways that are highly relevant and useful to State- and local-level policymakers, practitioners, and relevant stakeholders.

(4) Collaborate with the National Center and Regional Centers to convene States and LEAs, researchers, and other experts, including other Federal entities and providers of technical assistance as identified by the Department, to learn from each other about practical strategies for implementing ESEA provisions and programs related to the Center's area of focus.

(5) Support the participation of Content Center staff in CCNetwork peer learning opportunities with the goal of providing high-quality services while reaching as many SEAs, REAs, TEAs, LEAs, and schools in need of services as possible.

(6) Within 90 days of receiving funding for an award, provide copies to the Department of partnership agreements with Department-funded technical assistance providers that are

charged with supporting comprehensive, systemic changes in States or Department-funded technical assistance providers with particular expertise relevant to the Center's content area. Partnership agreements must define processes for coordination and support collaboration to meet relevant program requirements.

(7) The Project Director must be capable of managing all aspects of the Center and be either at a minimum of 0.75 FTE or there must be two Co-Project Directors each at a minimum of 0.5 FTE. The Project Director or Co-Project Directors and all key personnel must be able to provide services at the intensity, duration, and modality appropriate to achieving agreed-upon milestones, outputs, and outcomes described in annual service plans.

Application Requirements:

Application Requirements for All Centers:

(1) Present an approach to the proposed project for operating the Comprehensive Center that clearly establishes the critical educational challenges proposed to be addressed by the Center, the impact the Center plans to achieve, including the proposed scope of services in relation to the number of SEAs, REAs, TEAs, LEAs, and, as appropriate, schools served, with respect to specific State and local outcomes that would represent significant achievement in advancing the efforts of State and local systems to improve educational opportunities and student outcomes, and proposes how the Center will efficiently and effectively provide appropriate capacity-building services to achieve the desired outcomes.

(2) Present applicable regional, State, and local educational needs, including relevant data demonstrating the identified needs, and including the perspectives of underrepresented groups, that could be addressed through the proposed capacity-building approach to implement and scale up evidence-based programs, practices, and interventions.

(3) Demonstrate how key personnel possess subject matter expert knowledge of statutory requirements, regulations, and policies related to ESEA programs, current education issues, and policy initiatives for supporting the implementation and scaling up of evidence-based programs, practices, and interventions.

(4) Demonstrate expertise in providing highly relevant and highly effective technical assistance (e.g., that is co-designed with clients; demonstrably addresses authentic needs based on needs-sensing activities; is

timely, relevant, useful, clear and measurable; and results in demonstrable improvements or outcomes), including by demonstrating expertise in the current research on adult learning principles, coaching, and implementation science that will drive the applicant's capacity-building services; how the applicant has successfully supported clients to achieve desired outcomes; and how the applicant will promote self-sufficiency and sustainability of State- and local-led school improvement activities.

(5) Present a logic model (as defined in 34 CFR 77.1) informed by research or evaluation findings that demonstrates a rationale (as defined in 34 CFR 77.1) explaining how the project is likely to improve or achieve relevant and expected outcomes. The logic model must communicate how the proposed project would achieve its expected outcomes (short-term, mid-term, and long-term), and provide a framework for both the formative and summative evaluations of the project consistent with the applicant's performance management plan. Include a description of underlying concepts, assumptions, expectations, beliefs, and theories, as well as the relationships and linkages among these variables, and any empirical support for this framework.

(6) Present a management plan that describes the applicant's proposed approach to managing the project to meet all program requirements related to needs assessment, stakeholder engagement, communications and dissemination, personnel management, and partnerships.

(7) Present a performance management and evaluation plan that describes the applicant's proposed approach to meeting the program requirements related to performance management, including the applicant's proposed strategy to report on defined program performance measures, and describes the criteria for determining the extent to which capacity-building services proposed in annual service plans were implemented as intended; recipient outcomes were met (short-term, midterm, and long-term); recipient capacity was developed; and services reached and were used by intended recipients.

(8) Include in the budget a line item for an annual set-aside of five percent of the grant amount to support emerging needs that are consistent with the proposed project's intended outcomes, as those needs are identified in consultation with, and approved by, the OESE program officer. With approval from the program officer, the project must reallocate any remaining funds

from this annual set-aside no later than the end of the third quarter of each budget period.

Application Requirements for the National Center: In addition to meeting the application requirements for all Centers, a National Center applicant must:

(1) Describe the proposed approach to leading coordination and collaboration of the CCNetwork, and demonstrate expertise and experience in leading communication and digital engagement strategies to attract and sustain the involvement of education stakeholders, including, but not limited to: implementing a robust web and social media presence, overseeing customer relations management, providing editorial support to Regional and Content Centers, and utilizing web analytics to improve content engagement.

(2) Describe the proposed approach to providing targeted capacity-building services, including how the applicant intends to collaborate with Regional Centers to identify potential recipients and estimate how many SEAs, REAs, TEAs, and LEAs it has the capacity to reach; how it will measure the readiness and capacity of potential recipients; and how it will measure the extent to which targeted capacity-building services achieve intended recipient outcomes and result in increased recipient capacity (and specifically, increase capacity in one or more of the four dimensions of capacity-building).

(3) Describe the proposed approach to universal capacity-building services, including how many and which recipients it plans to reach and how the applicant intends to: measure the extent to which products and services developed address common problems; support recipients in the selection, implementation, and monitoring of evidence-based practices; improve the use of evidence with regard to emerging national education trends; and build recipient capacity in at least one of the four dimensions of capacity-building.

Application Requirements for Regional Centers:

In addition to meeting the application requirements for all Centers, a Regional Center applicant must—

(1) Describe the proposed approach to intensive capacity-building services, including identification of intended recipients based on available data in each of the content areas identified, alignment of proposed capacity-building services to client needs, and engagement of clients who may not initiate contact to request services. The applicant must also describe how it intends to measure the readiness of clients and recipients to

work with the Center; co-design projects and define outcomes; measure and monitor client and recipient capacity across the four dimensions of capacity-building; and measure the outcomes achieved throughout and at the conclusion of a project.

(2) Demonstrate that proposed key personnel have the appropriate subject matter and technical assistance expertise to deliver high-quality, intensive services that meet client and recipient needs similar to those in the region to be served.

Application Requirements for Content Centers: In addition to meeting the application requirements for all Centers, a Content Center applicant must—

(1) Describe the proposed approach to carry out targeted capacity-building services that increase the use of evidence-based products or tools regarding the designated content area amongst practitioners, education system leaders, elementary schools and secondary schools, LEAs, REAs and TEAs, and SEAs.

(2) Describe the proposed approach to providing universal capacity-building services, including how it will develop evidence-based products or tools regarding the designated content area; widely disseminate such products or tools to practitioners, education system leaders, and policymakers in formats that are high quality, easily accessible, understandable, and actionable; identify intended recipients; and align proposed capacity-building services to client needs.

(3) Demonstrate that key personnel have appropriate subject matter and technical assistance expertise to translate evidence into high-quality technical assistance services and products for State and local clients, including expertise applying adult-learning principles and implementation science to the delivery of technical assistance services and products.

Final Definitions

The Department establishes definitions of "client," "collaboration," "coordination," "educator," "English learner," "key personnel," and "recipient," for use in this program in any year in which this program is in effect.

We also replace certain terms established in the 2019 NFP. Specifically, although the 2019 NFP is not generally intended to be superseded by this action, we are establishing new definitions for the terms "high-leverage problem," "outcomes," and "regional educational agency" to better reflect how they are used in the program, including these final priorities,

requirements, definitions, and selection criteria. Additionally, as established in the 2019 NFP, the term “capacity-building services” includes within it definitions for the “four dimensions of capacity-building services” and the “three tiers of capacity-building services.” In this NFP, we define these terms separately. Other than separating these terms, we have not made changes to the general term “capacity-building services” or the “four dimensions of capacity-building services” as established in the 2019 NFP; however, to reflect how they apply to the priorities in this document, we revised definitions for the three tiers of capacity-building services: “intensive capacity-building services,” “targeted capacity-building services,” and “universal capacity-building services.”

We also use in the priorities, requirements, and selection criteria, the following terms, which are defined in the ESEA: “immigrant children and youth,” “migratory child,” and “tribal educational agency” for use in this program in any year in which this program is in effect.

The priorities, requirements, and selection criteria also incorporate the following terms established for use in this program by the 2019 NFP: “milestone” and “outputs.” We have included the definitions of those terms in Appendix 1 to this document.

Capacity-building services means assistance that strengthens an individual’s or organization’s ability to engage in continuous improvement and achieve expected outcomes.

Client means the organization with which the Center enters into agreement for negotiated capacity-building services. The client is engaged in defining the high-leverage problems, capacity-building services, and time-based outcomes for each project noted in the Center’s annual service plan. Representatives of clients include but are not limited to Chief State School Officers or their designees, LEA leaders, and other system leaders.

Collaboration means exchanging information, altering activities, and sharing in the creation of ideas and resources to enhance the capacity of one another for mutual benefit to accomplish a common goal.

Coordination means exchanging information, altering activities, and synchronizing efforts to make unique contributions to shared goals.

Educator means an individual who is a teacher (including an early education teacher), principal or other school leader, administrator, specialized instructional support personnel (e.g., school psychologist, counselor, school

social worker, librarian, early intervention service personnel), paraprofessional, faculty, and others.

English learner means an individual who is an English learner as defined in section 8101(20) of the ESEA, or an individual who is an English language learner as defined in section 203(7) of the Workforce Innovation and Opportunity Act.

Four dimensions of capacity-building services are:

(1) *Human capacity* means development or improvement of individual knowledge, skills, technical expertise, and ability to adapt and be resilient to policy and leadership changes.

(2) *Organizational capacity* means structures that support clear communication and a shared understanding of an organization’s visions and goals, and delineated individual roles and responsibilities in functional areas.

(3) *Policy capacity* means structures that support alignment, differentiation, or enactment of local, State, and Federal policies and initiatives.

(4) *Resource capacity* means tangible materials and assets that support alignment and use of Federal, State, private, and local funds.

High-leverage problems means problems that (1) if addressed could result in substantial improvements for groups of students with the greatest need, including for students from low-income families and for students attending schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under ESEA section 1111(d); (2) are priorities for education policymakers, particularly at the State level; and (3) require intensive capacity-building services to achieve outcomes that address the problem.

Immigrant children and youth have the meaning ascribed in section 3201(5) of the ESEA.

Intensive capacity-building services means assistance often provided on-site and requiring a stable, ongoing relationship between the Comprehensive Center and its clients and recipients, as well as periodic reflection, continuous feedback, and use of evidence-based improvement strategies. This category of capacity-building services should support increased recipient capacity in more than one dimension of capacity-building services and result in medium-term and long-term outcomes at one or more system levels.

Key personnel means any personnel considered to be essential to the work being performed on the project.

Migratory child has the meaning ascribed it in section 1309(3) of the ESEA.

Outcomes means demonstrable effects of receiving capacity-building services and must reflect the result of capacity built in at least one of the four dimensions of capacity building. “Outcomes” includes short-term outcomes, medium-term outcomes, and long-term outcomes:

(1) *Short-term outcomes* means effects of receiving capacity-building services after 1 year.

(2) *Medium-term outcomes* means effects of receiving capacity-building services after 2 to 3 years.

(3) *Long-term outcomes* means effects of receiving capacity-building services after 4 or more years.

Recipient means organizations including, but not limited to, SEAs, LEAs, REAs, TEAs, and schools that have received “intensive” and “targeted” capacity-building services and products from Regional Centers, or that received “targeted” or “universal” capacity-building services and products from the National Center or Content Centers.

Regional educational agency means educational agencies that serve regional areas within a State.

Targeted capacity-building services means assistance based on needs common to multiple clients and recipients and not extensively individualized. A relationship is established between the recipient(s), the National Center or Content Center, and Regional Center(s), as appropriate. This category of capacity-building services includes one-time, labor-intensive events, such as facilitating strategic planning or hosting national or regional conferences. It can also include services that extend over a period of time, such as facilitating a series of conference calls, virtual or in-person meetings, or learning communities on single or multiple topics that are designed around the needs of the recipients. Facilitating communities of practice can also be considered targeted capacity-building services.

Tribal educational agency has the meaning ascribed in section 6132(b)(3) of the ESEA.

Universal capacity-building services means assistance and information provided to independent users through their own initiative, involving minimal interaction with National or Content Center staff. This category of capacity-building services includes information or products, such as newsletters,

guidebooks, policy briefs, or research syntheses, downloaded from the Center's website by independent users, and may include one-time, invited or offered webinar or conference presentations by National or Content Center staff. Brief communications or consultations by National or Content Center staff with recipients, either by telephone or email, are also considered universal services.

Final Selection Criteria

The Secretary establishes the following selection criteria for evaluating an application under this program. We may apply one or more of these criteria in any year in which this program is in effect. In the NIA we will announce the maximum possible points available under each criterion.

Approach to Capacity Building. In determining the overall quality of the approach to capacity building of the proposed project, the Secretary may consider one or more of the following factors.

(1) The extent to which the proposed project represents an exceptional approach to responding to the priority or priorities established for the competition that will likely result in building SEA capacity to implement State-level initiatives and support local- and school-level initiatives that improve educational opportunities and outcomes, close achievement gaps, and improve the quality of instruction for all students.

(2) The extent to which the applicant demonstrates an exceptional approach to developing and delivering high-quality, useful, and relevant capacity-building services that are likely to achieve desired recipient outcomes, including—

(a) In the case of an applicant for the National Center, targeted and universal capacity-building services that would be expected to assist SEAs, REAs, TEAs, LEAs, and Regional Center clients and recipients, including those who do not proactively request assistance, to address the activities described in the priority;

(b) In the case of an applicant for a Regional Center, intensive capacity-building services that would be expected to assist clients and recipients to address the activities described in the priority; and

(c) In the case of an applicant for a Content Center, targeted and universal capacity-building services that would be expected to assist clients and recipients, including those who do not proactively request assistance, to address activities described in the priority related to the designated content area.

(3) The extent to which the proposed approach to capacity building provides strategies that address the technical assistance needs of State and local educational systems in key areas of identified need, as evidenced by in-depth knowledge and understanding of—

(a) In the case of an applicant for the National Center, implementation challenges faced by States; evidence-based practices related to teaching, learning, and development; needs of schools designated for improvement; needs to improve core instruction; and emerging education topics of national importance;

(b) In the case of an applicant for a Regional Center, the specific educational goals and priorities of the States to be served by the applicant, including emerging priorities based on State-led reform efforts, and the applicable State and regional demographics, policy contexts, and other factors and their relevance to improving educational opportunities and outcomes, closing achievement gaps, and improving instruction; and

(c) In the case of an applicant for a Content Center, State technical assistance needs and evidence-based practices related to the Content Center priority for which the applicant is applying.

(4) In the case of an applicant for the National Center, the extent to which the approach to capacity building and management plans propose an exceptional approach to meeting the application requirements for the National Center.

(5) In the case of an applicant for a Regional Center, the extent to which the applicant's approach to capacity building proposes an exceptional approach to meeting the application requirements for all Regional Centers.

(6) In the case of an applicant for a Content Center, the extent to which the applicant's approach to capacity building proposes an exceptional approach to meeting the application requirements for all Content Centers.

Quality of Project Design. In determining the quality of the project design of the proposed Center for which the applicant is applying, the Secretary may consider one or more of the following factors.

(1) The extent to which the proposed performance management and evaluation system and processes demonstrate an exceptional approach to integrating continuous improvement processes and evaluation that will result in regular and ongoing improvement in the quality of the services provided and

increase the likelihood that recipient outcomes are achieved.

(2) The extent to which the proposed stakeholder engagement system is likely to result in a high level of engagement with multiple potential beneficiaries or participants involved in or impacted by the proposed capacity-building activities to ensure that the proposed services reflect their needs, are delivered in a manner that is relevant and useful, and reach the largest number of recipients possible.

(3) The extent to which the proposed personnel management system includes effective processes to enable hiring, developing, supervising, and retaining a team of subject matter and technical assistance experts, consultants and professional staff, and ensure availability of appropriate expertise and staffing at a level sufficient to effectively execute the responsibilities of key personnel to achieve the goals of the project.

(4) The extent to which the proposed partnerships represent an intentional approach to collaboration that is likely to reduce client burden and to ensure that Federal resources are being used most efficiently and effectively to meet a variety of needs across federally funded providers.

(5) In the case of an applicant for the National Center, the extent to which the proposed project represents an exceptional management approach to coordination, collaboration, and communication of the complex work of the CCNetwork.

Subject Matter and Technical Assistance Expertise. In determining the subject matter and technical assistance expertise of key project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have historically been underrepresented based on race, color, national origin, gender, age, or disability.

In addition, the Secretary may consider one or more of the following factors.

(1) The extent to which key project personnel demonstrate the required subject matter expertise and relevant knowledge, understanding, and experience in operating and administering State and local educational systems to effectively support recipients.

(2) The extent to which the applicant has demonstrated exceptional technical assistance expertise in providing high-quality, timely, relevant, and useful technical assistance and capacity-building services to State and local educational systems.

(3) The extent to which the applicant has demonstrated the ability to develop new and ongoing partnerships with leading experts and organizations nationwide or regionally, as appropriate, that enhance its ability to provide high-quality technical assistance and subject matter expertise.

(4) In the case of an applicant for the National Center, the extent to which the applicant has demonstrated ability in operating a project of such scope.

This document does not preclude the Department from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This document does *not* solicit applications. In any year in which we choose to use one or more of these priorities, requirements, selection criteria, and definitions, we invite applications through a notice in the **Federal Register**.

Executive Orders 12866, 13563, and 14094

Regulatory Impact Analysis

Under Executive Order 12866, the Office of Management and Budget (OMB) must determine whether this regulatory action is “significant” and, therefore, subject to the requirements of the Executive order and subject to review by OMB. Section 3(f) of Executive Order 12866, as amended by Executive Order 14094, defines a “significant regulatory action” as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$200 million or more (as of 2023 but adjusted every 3 years by the Administrator of the Office of Information and Regulatory Affairs (OIRA) of OMB for changes in gross domestic product), or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, territorial, or Tribal governments;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise legal or policy issues for which centralized review would meaningfully further the President’s priorities, or the principles stated in the Executive order, as specifically

authorized in a timely manner by the Administrator of OIRA in each case.

This final regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866, as amended by Executive Order 14094.

We have also reviewed this final regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866, as amended by Executive Order 14094. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing these final priorities, requirements, definitions, and selection criteria only on a reasoned determination that their benefits justify their costs. In choosing among alternative regulatory approaches, we

selected those approaches that maximize net benefits. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action does not unduly interfere with State, local, and Tribal governments in the exercise of their governmental functions.

In accordance with these Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The costs are those resulting from statutory requirements and those we have determined as necessary for administering the Department’s programs and activities. The Department believes that this regulatory action would not impose significant costs on eligible entities, whose participation in the Comprehensive Centers Program is voluntary, and whose costs can generally be covered with grant funds. As a result, the regulatory action will not impose any particular burden, except when an entity voluntarily elects to apply for a grant. The priorities, requirements, definitions, and selection criteria help ensure that the grant program selects a high-quality applicant to implement activities that meet the goals of the program for each Center. We believe these benefits outweigh any associated costs.

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov.

Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Adam Schott,

*Principal Deputy Assistant Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant
Secretary Office of Elementary and Secondary
Education.*

Appendix I

The final priorities, requirements, and selection criteria incorporate the following terms established for use in this program by the 2019 NFP:

Milestone means an activity that must be completed. Examples include: Identifying

key district administrators responsible for professional development, sharing key observations from needs assessment with district administrators and identified stakeholders, preparing a logic model, planning for State-wide professional development, identifying subject matter experts, and conducting train-the-trainer sessions.

Outputs means products and services that must be completed. Examples include: Needs assessment, logic model, training modules, evaluation plan, and 12 workshop presentations.

Note: A product output under this program would be considered a deliverable under the open licensing regulations at 2 CFR 3474.20.

[FR Doc. 2024–09877 Filed 5–10–24; 8:45 am]

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and infrastructure assessments, surveys, planning, programming, design, acquisition, contract administration, construction management, and other technical services. The overall project includes over twenty facilities, including primary headquarters facilities for both civilian and military leadership, as well as any and all engineering studies, designs, construction, and construction management services necessary in order to provide a fully functioning headquarters complex.

(iv) *Military Department: Army (KU-B-HBJ)*

(v) *Prior Related Cases, if any: KU-B-BAT*

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known*

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None*

(viii) *Date Report Delivered to Congress: February 22, 2022*

*As defined in Section 47(6) of the Arms Export Control Act.

Policy Justification

Kuwait—Design and Construction of the Kuwait Ministry of Defense Headquarters Complex

The Government of Kuwait has requested to buy planning, design, construction, and associated procurement of Kuwait Ministry of Defense (KMOD) Headquarters Complex in Kuwait. This includes provisions for all physical building and infrastructure construction costs. The U.S. Army Corps of Engineers will provide life cycle design, construction, and project management, engineering services, technical support, facility and infrastructure assessments, surveys, planning, programming, design, acquisition, contract administration, construction management, and other technical services. The overall project includes over twenty facilities, including primary headquarters facilities for both civilian and military leadership, as well as any and all engineering studies, designs, construction, and construction management services necessary in order to provide a fully functioning headquarters complex. The estimated total cost is \$1 billion.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the infrastructure of a Major Non-NATO ally that has been an important force for political stability

and economic progress in the Middle East.

This proposed sale will improve Kuwait's capability to meet current and future threats by modernizing the KMOD headquarters and associated infrastructure. Kuwait will have no difficulty absorbing this infrastructure, support, and associated services into its armed forces.

The proposed sale of this infrastructure and support will not alter the basic military balance in the region.

No principal contractor has been identified for this sale. Contracts funded by this case are likely to be competitive acquisitions. The host nation has the ability to limit competition if they so choose, but has not requested to do so at this time. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of as many as ten (10) additional U.S. Government or U.S. contractor representatives to Kuwait for a duration of up to seven (7) years to provide construction management and oversight. It may be possible to utilize locally available labor to provide some oversight services in lieu of the assignment of U.S. personnel to the program.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2024-10384 Filed 5-10-24; 8:45 am]

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DEPARTMENT OF EDUCATION

Applications for New Awards; Comprehensive Centers Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education (Department) is issuing a notice inviting applications for new awards for fiscal year (FY) 2024 for the Comprehensive Centers (CC) Program, Assistance Listing Number 84.283B. This notice relates to the approved information collection under OMB control number 1894-0006.

DATES:

Applications Available: May 16, 2024.

Deadline for Notice of Intent to Apply: June 7, 2024. Potential applicants are strongly encouraged to notify the Department of their intent to apply to support us in planning for a more efficient review of applications. Notification is optional and non-binding. For more information see

Section IV: Application and Submission Information.

Deadline for Transmittal of Applications: June 24, 2024.

Deadline for Intergovernmental Review: August 22, 2024.

Pre-Application Webinar Information:

No later than May 30, 2024, the Department will begin holding webinars to provide technical assistance to interested applicants on key application-related topics. Interested applicants are strongly encouraged to participate or review the accompanying materials available online. Updated information can be found on the Comprehensive Center website at <https://oese.ed.gov/offices/office-of-formula-grants/program-and-grantee-support-services/comprehensive-centers-program/>. Recordings of all webinars will be available on the Comprehensive Center website following the sessions.

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on December 7, 2022 (87 FR 75045), and available at <https://www.federalregister.gov/documents/2022/12/07/2022-26554/common-instructions-for-applicants-to-department-of-education-discretionary-grant-programs>.

FOR FURTHER INFORMATION CONTACT: Dr. Michelle Daley, U.S. Department of Education, 400 Maryland Avenue SW, Room 4B112, Washington, DC 20202-5970. Telephone: (202) 987-1057. Email: OESE.ComprehensiveCenters@ed.gov.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The Comprehensive Centers Program supports the establishment of Comprehensive Centers to provide capacity-building services to State educational agencies (SEAs), regional educational agencies (REAs), local educational agencies (LEAs), and schools that improve educational opportunities and outcomes, close achievement gaps, and improve the quality of instruction for all students, and particularly for groups of students with the greatest need, including students from low-income families and students attending schools

implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965, as amended (ESEA).

Background: We have published elsewhere in this issue of the **Federal Register** a notice of final priorities, requirements, definitions, and selection criteria (NFP) for use in this and future Comprehensive Center Program competitions. In developing priorities for this program, the Department consulted with education stakeholders, including through Regional Advisory Committees (RACs) established under section 206 of the Educational Technical Assistance Act of 2002 (ETAA), Tribes, chief State school officers, chief executive officers of States, and Regional Educational Laboratory (REL) governing boards. Additionally, the Department received public comment on a notice of proposed priorities, requirements, definitions, and selection criteria for this program published in the **Federal Register** on January 23, 2024 (89 FR 4228).

The Department designed the priorities, requirements, definitions, and selection criteria for the Comprehensive Centers to support high-quality capacity-building services to State, regional, and local educational agencies and schools that improve educational opportunities and outcomes, close opportunity and achievement gaps, and improve the quality of instruction for all students. The Department seeks to maximize the ability of the Comprehensive Centers to be flexible and responsive to specific State and local client needs while also providing leadership and focused support on issues of national importance to support education systems through a time of continued challenge and transition. This approach aligns with “Raise the Bar: Lead the World” (RTB)—the Department’s call to action to all stakeholders to transform pre-kindergarten through postsecondary education and unite the field around evidence-based strategies that advance educational equity and excellence for all students. Specifically, through the absolute priorities in this competition, the Department will establish a network of Comprehensive Centers (CCNetwork) comprised of a National Comprehensive Center (National Center), Regional Comprehensive Centers (Regional Centers), and Content Centers working together to support SEAs, REAs, Tribal education agencies (TEAs), LEAs, and schools to address areas of national need and advance several key focus

areas, including to assist States and districts in academic achievement and excellence, to offer all students a comprehensive and rigorous education, to eliminate the educator shortage, to provide every student with a pathway to multilingualism, and to provide schools with adequate and equitable funding.

Priorities: This competition includes three absolute priorities and one competitive preference priority. Absolute Priorities 1, 2, and 3 are from the NFP. The competitive preference priority is from the Administrative Priorities for Discretionary Grant Programs published in the **Federal Register** on March 9, 2020 (85 FR 13640) (Administrative Priorities).

Absolute Priorities: For FY 2024 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are absolute priorities. Under 34 CFR 75.105(c)(3), we consider only applications that meet one of these priorities. If an applicant wishes to apply to operate more than one Center, the applicant must submit a separate application for each Center it wishes to serve. See the “Limitation on Applications” section for more information.

These priorities are:

Absolute Priority 1: National Comprehensive Center.

Projects that propose to establish a National Center to (1) provide high-quality, high-impact technical assistance and capacity-building services to the Nation that are designed to improve educational opportunities, educator practice, and student outcomes and (2) coordinate the work of the CCNetwork to effectively use program resources to support evidence use and the implementation of evidence-based (as defined in 34 CFR 77.1) practices to close opportunity gaps and improve educational outcomes, particularly accelerating academic achievement in math and literacy for all students, and particularly for groups of students with the greatest need, including students from low-income families and students attending schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA, in a manner that reaches and supports as many SEAs, REAs, TEAs, LEAs, and schools in need of services as possible.

The National Center must design and implement an effective approach to providing high-quality, useful, and relevant universal, targeted, and, as appropriate and in partnership with Regional Centers, intensive capacity-

building services that are likely to achieve desired recipient outcomes. The approach must be driven by adult learning principles and incorporate implementation, improvement, and systems change frameworks, and must promote alignment across interconnected areas of need, programs, and agency systems.

The National Center must implement effective strategies for coordinating and collaborating with the Regional Centers and Content Centers to assess educational needs; coordinate common areas of support across Centers; communicate about the work of the CCNetwork, including sharing and disseminating information about CCNetwork services, tools, and resources to maximize the reach of the CCNetwork across clients and education stakeholders; coordinate with other federally funded providers regarding the work of the CCNetwork and help clients navigate available support; and support the selection, implementation, scale-up, and dissemination of evidence-based practices that will improve educational opportunities and outcomes, particularly academic achievement in math and literacy, and close achievement gaps for all students, particularly for groups of students with the greatest need, including students from low-income families and students attending schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA.

Services must address: common high-leverage problems identified in Regional Center service plans (as outlined in the Program Requirements for the National Center); findings from finalized Department monitoring reports or audit findings; implementation challenges faced by States and LEAs related to teaching, learning, and development; needs of schools designated for improvement; needs related to closing opportunity and achievement gaps; needs to improve core academic instruction; and emerging education topics of national importance.

The National Center must provide universal and targeted capacity-building services that demonstrably assist SEAs, REAs, TEAs, LEAs, and Regional Center clients and recipients to—

(1) Implement approved ESEA Consolidated State Plans, with preference given to implementing and scaling evidence-based programs, practices, and interventions that directly benefit entities that have high percentages or numbers of students from low-income families as referenced in

title I, part A of the ESEA (ESEA sec. 1113(a)(5));

(2) Implement and scale up evidence-based programs, practices, and interventions that lead to the increased capacity of SEAs and LEAs to address the unique educational challenges and improve outcomes of schools implementing comprehensive support and improvement activities or targeted or additional targeted support and improvement activities as referenced in title I, part A of the ESEA (ESEA sec. 1111(d)) and their students;

(3) Implement State accountability and assessment systems consistent with title I, part A of the ESEA (ESEA section 1111(b)–(d)), including the requirement for States to conduct resource allocation reviews under ESEA section 1111(d)(3)(A)(ii);

(4) Implement and scale up evidence-based programs, practices, and interventions that improve instruction and outcomes in core academic subjects, including math and literacy instruction;

(5) Address the unique educational obstacles faced by rural and Tribal students; and

(6) Implement and scale up evidence-based programs, practices, and interventions that address other emerging education topics of national importance that are not being met by another federally funded technical assistance provider (e.g., best practices in the use of education technology, student support strategies promoting digital literacy and access, or supporting asylum seekers and newly arrived immigrant children and youth or migratory students and their families).

An applicant under this priority must demonstrate how it will cultivate a network of national subject matter experts from a diverse set of perspectives or organizations to provide capacity-building support to Regional Centers and clients regarding the ESEA topical areas listed above and other emerging education issues of national importance.

Absolute Priority 2: Regional Centers.

Projects that propose to establish Regional Centers to provide high-quality, useful, and relevant intensive capacity-building services to State and local clients and recipients to assist them in selecting, implementing, and sustaining evidence-based programs, practices, and interventions that will result in improved educator practice and student outcomes, especially in math and literacy. The approach must be driven by adult learning principles and incorporate implementation, improvement, and systems change frameworks.

Each Regional Center must provide high-quality, useful, and relevant capacity-building services that demonstrably assist clients and recipients in—

(1) Carrying out Consolidated State Plans approved under the ESEA, with preference given to the implementation and scaling up of evidence-based programs, practices, and interventions that directly benefit recipients that have high percentages or numbers of students from low-income families as referenced in title I, part A of the ESEA (ESEA sec. 1113(a)(5)) and recipients that are implementing comprehensive support and improvement activities or targeted or additional targeted support and improvement activities as referenced in title I, part A of the ESEA (ESEA sec. 1111(d)), including the requirement for States to conduct resource allocation reviews required under ESEA section 1111(d)(3)(A)(ii);

(2) Implementing, scaling up, and sustaining evidence-based programs, practices, or interventions that focus on key initiatives that lead to LEAs and schools improving student outcomes. Key initiatives may include implementing evidence-based practices to help accelerate academic achievement in math and literacy (including high-impact tutoring, high-quality summer and after-school learning and enrichment, and effective interventions to reduce chronic absenteeism and increase student engagement), improving core academic instruction, implementing innovative and promising approaches to systems of high-quality assessment (including diagnostic, formative and interim assessments to inform instructional design), addressing educator shortages (including recruitment, preparation, and retention), or developing aligned and integrated agency systems;

(3) Addressing the unique educational obstacles faced by underserved populations, including students from low-income families, students of color, students living in rural areas, Tribal students, English learners, students in foster care, migratory children, immigrant children and youth, and other student populations with specific needs defined in the ESEA, which may include neglected, delinquent, and at-risk children and youth, and homeless children and youths; and

(4) Improving implementation of ESEA programs including collecting and reporting program data and addressing corrective actions or results from audit findings and ESEA program monitoring, conducted by the Department, that are programmatic in nature, at the request of the client.

Regional Centers must effectively work with the National Center and Content Centers, as needed, to assist clients in selecting, implementing, and sustaining evidence-based programs, policies, practices, and interventions; and must develop cost-effective strategies to make their services available to as many SEAs, REAs, TEAs, LEAs, and schools within the region in need of support as possible.

Applicants must propose to operate a Regional Center in one of the following regions:

Region 1 (Northeast): Connecticut, Massachusetts, Maine, New Hampshire, New York, Rhode Island, Vermont

Region 2 (Islands): Puerto Rico, Virgin Islands

Region 3 (Mid-Atlantic): Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania

Region 4 (Appalachia): Kentucky, Tennessee, Virginia, West Virginia

Region 5 (Southeast): Georgia, North Carolina, South Carolina

Region 6 (Gulf): Alabama, Florida, Mississippi

Region 7 (Midwest): Indiana, Michigan, Ohio, Illinois, Iowa, Minnesota, Wisconsin

Region 8 (Central): Colorado, Kansas, Missouri, Nebraska, North Dakota, South Dakota, Wyoming

Region 9 (Southwest): Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Region 10 (West): Arizona, California, Nevada, Utah

Region 11 (Northwest): Alaska, Oregon, Washington, Idaho, Montana

Region 12 (Pacific 1): American Samoa, Hawaii, Republic of the Marshall Islands

Region 13 (Pacific 2): Commonwealth of the Northern Mariana Islands, Federated States of Micronesia, Guam, Palau

Region 14: Bureau of Indian Education

Absolute Priority 3: Content Centers.

Projects that propose to establish Content Centers to provide high-quality, useful, and relevant targeted and universal capacity-building services in a designated content area of expertise to SEA, REA, TEA, and LEA clients designed to improve educational opportunities, educator practice, and student outcomes.

Content Centers must be designed to build the capacity of practitioners, education system leaders, public schools serving preschool through 12th grades (P–12) (which may include Head Start and community-based preschool), LEAs, and SEAs to use evidence in the designated content area. Capacity-

building services may include, for example, developing evidence-based products and tools, and providing services that directly inform the use of evidence in a State or local policy or program or improved program implementation to achieve desired educational outcomes. The approach must be driven by adult learning principles and incorporate implementation, improvement, and systems change frameworks. Services must promote the use of the latest evidence, including research and data; be effectively delivered using best practices in technical assistance and training; and demonstrate a rationale for how they will result in improved recipient outcomes.

Content Centers must support Regional Centers, as needed, with subject matter expertise to enhance the intensive capacity-building services provided by the Regional Centers or to design universal or targeted capacity-building services to meet identified SEA, REA, TEA, or LEA needs.

Content Centers must effectively coordinate and align targeted and universal capacity-building services with the National Center, Regional Centers, and other federally funded providers, as appropriate, to address high-leverage problems and provide access to urgently needed services to build Centers' capacity to support SEAs and local clients. Content Centers must effectively coordinate with the National Center, Regional Centers, and other federally funded providers to assess potential client needs, avoid duplication of services, and widely disseminate products or tools to practitioners, education system leaders, and policymakers in formats that are high quality, easily accessible, understandable, and actionable to ensure the use of services by as many SEA, REA, TEA, and LEA recipients as possible.

Applicants must propose to operate a Content Center in one of the following areas:

(1) *English Learners and Multilingualism*. The Center on English Learners and Multilingualism must provide universal, targeted, and, as appropriate and in partnership with Regional Centers, intensive capacity-building services designed to support SEAs and LEAs to meet the needs of English learners beginning with early language acquisition and development, meet the needs of English learners with disabilities, and increase access to high-quality language programs so that they, along with all students, have the opportunity to become multilingual. The Center must also support the

selection, implementation, and scale-up of evidence-based practices, in coordination with the National Clearinghouse for English Language Acquisition, related to meeting the needs of English learners.

(2) *Early School Success*: The Center for Early School Success must provide universal, targeted, and, as appropriate, and in partnership with Regional Centers, intensive capacity-building services designed to support SEAs and LEAs to implement comprehensive and aligned preschool to third-grade (PK–3) early learning systems in order to increase the number of children who experience success in early learning and achievement, including by increasing the number of children who meet challenging State academic standards; supporting effective transitions to kindergarten; partnerships with parents and families on everyday school attendance; and developmentally informed and evidence-based instructional practices in social and emotional development, early literacy, and math. The Center must support the selection, implementation, and scale-up of programs, policies, and practices, informed by research on child development, that can strengthen the quality of PK–3 learning experiences and support social, emotional, cognitive, and physical development.

(3) *Fiscal Equity*: The Center on Fiscal Equity must provide universal, targeted, and, as appropriate, and in partnership with Regional Centers, intensive capacity-building services designed to support SEAs and LEAs in strengthening equitable and adequate resource allocation strategies, including the allocation of State and local resources; improving the quality and transparency of fiscal data at the school level; and prioritizing supports for students and communities with the greatest need, including schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under section 1111(d) of the ESEA in collaboration with the National Center. The Center must support the selection, implementation, and scale-up of evidence-based programs, policies, and practices that promote responsible fiscal planning and management, and effective and permissible uses of ESEA formula funds, including through combining those funds with other available and allowable Federal, State, and local funds (“blending and braiding”) and considering how ESEA funds may interact with and complement other Federal programs, such as IDEA,

Medicaid, and Head Start to improve student opportunities and outcomes.

(4) *Strengthening and Supporting the Educator Workforce*: The Center on Strengthening and Supporting the Educator Workforce must provide universal, targeted, and, as appropriate and in partnership with Regional Centers, intensive capacity-building services designed to support SEAs to support their LEAs, schools, and their partners (e.g., educator preparation programs, workforce boards, labor unions) in designing and scaling practices that establish and enhance high-quality, comprehensive, evidence-based, and affordable educator pathways, including educator residency and Grow Your Own programs, as well as emerging pathways into the profession such as registered apprenticeship programs for teachers; and in improving educator diversity, recruitment, and retention. The Center must support the selection, implementation, and scale-up of evidence-based programs, policies, and practices that will support States, LEAs, and their partners in addressing educator shortages and providing all students with highly qualified educators across the P–12 continuum, including through increased compensation and improved working conditions; high-quality, comprehensive, evidence-based, and affordable educator preparation, including educator residency and Grow Your Own programs, as well as emerging pathways into the profession such as registered apprenticeship programs for teachers; providing opportunities for teacher leadership and career advancement; ongoing professional learning throughout educators' careers, including implementing evidence-based strategies for effective teaching and learning; strengthening novice teacher induction; and supporting and diversifying the educator workforce, as well as other actions to improve learning conditions and educator well-being.

Competitive Preference Priority: For FY 2024 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is a competitive preference priority. Under 34 CFR 75.105(c)(2)(i) we award an additional 3 points to an application that meets this priority.

This priority is:

Applications From New Potential Grantees (0 or 3 points). Under this priority, an applicant must demonstrate that the applicant has never received a grant, including through membership in a group application submitted in accordance with 34 CFR 75.127–75.129,

under the program from which it seeks funds.

Requirements: For FY 2024 and any subsequent year in which we make awards from the list of unfunded applications from this competition, the following program requirements and application requirements apply. These requirements are from the NFP.

Program Requirements: Grantees must meet the following program requirements.

Program Requirements for All Centers: National, Regional, and Content Center grantees under this program must:

(1) Develop service plans annually for carrying out the technical assistance and capacity-building activities to be delivered by the Center in response to educational challenges facing students, practitioners, and education system leaders. Plans must include: High-leverage problems to be addressed, including identified client needs, capacity-building services to be delivered, time-based outcomes (*i.e.*, short-term, mid-term, long-term), responsible personnel, key technical assistance partners, milestones, outputs, dissemination plans, fidelity measures, if appropriate, and any other elements specified by the Department. The annual service plans must be an update to the Center's five-year plan submitted as part of the initial grant application and account for changes in client needs.

(2) Develop and implement capacity-building services, including tools and resources, in partnership with State and local clients and recipients to reflect and address specific client needs and contexts and promote sustainable evidence utilization to address identified educational challenges.

(3) Develop and implement an effective performance management and evaluation system that integrates continuous improvement to promote effective achievement of client outcomes. The system must include methods to measure and monitor progress towards agreed upon outcomes, outputs, and milestones and to measure the reach, use, and impact of the services being delivered to ensure capacity-building services are implemented as intended, reaching intended clients and recipients, and achieving desired results. Progress monitoring must include periodic assessment of client satisfaction and timely identification of changes in State contexts that may impact the project's success. The performance management system must include strategies to report on defined program performance measures.

(4) Develop and implement a stakeholder engagement system to regularly communicate, engage, and coordinate, using feedback to inform improvement, across organizational levels (Federal, State, and local), and facilitate regular engagement of stakeholders involved in or affected by proposed services. This system must provide regular and ongoing opportunities for outreach activities (*e.g.*, ongoing promotion of services and products to potential and current recipients, particularly at the local level) and regular opportunities for engagement with potential beneficiaries or participants involved in or impacted by proposed school improvement activities (*e.g.*, students, parents, educators, administrators, Tribal leaders) to ensure services reflect their needs.

(5) Develop and implement a high-quality personnel management system to efficiently obtain and retain the services of nationally recognized technical and content experts and other consultants with direct experience working with SEAs, REAs, and LEAs. The Center must ensure that personnel have the appropriate expertise to deliver high-quality capacity-building services that meet client and recipient need and be staffed at a level sufficient for achieving the goals of its assigned projects and responsibilities.

(6) Develop and implement a comprehensive communication and dissemination plan that includes strategies to disseminate information in multiple formats and mediums (*e.g.*, evidence-based practice tool kits, briefs, informational webinars) including through CCNetwork websites, social media, and other methods as appropriate, and strategies to measure and monitor the use of the information it disseminates. The plan must include approaches to determine, at the outset of each project, in consultation with clients, the most effective modality and methodology for capturing evidence-based practices and lessons learned, dissemination strategies customized and based on needs of the targeted audience(s), and strategies to monitor and measure audience engagement and use of information and products of the Center. Centers must work with partners to disseminate products through networks in which the targeted audiences are most likely to seek or receive information, with the goal of expanding the reach of Centers to the largest number of recipients possible.

(7) Identify and enter into partnership agreements with federally funded providers, State and national organizations, businesses, and industry

experts, as applicable, to support States in the implementation and scaling-up of evidence-based programs, practices, and interventions, as well as reduce duplication of services and engagement burden to States. Where appropriate, the agreements should document how the partnerships might advance along a continuum to effectively meet program and client goals.

(8) Within 90 days of receiving funding for an award, demonstrate to the Department that it has secured client and partner commitments to carry out proposed annual service plans.

(9) Participate in a national evaluation of the Comprehensive Centers Program.

Program Requirements for National Comprehensive Center: In addition to the requirements for all Centers, National Center grantees under this program must:

(1) Design and implement robust needs-sensing activities and processes to consult with and integrate feedback from the Department, Regional and Content Centers, and advisory boards that surface high-leverage problems that could be effectively addressed in developing the national annual service plan.

(2) Collaborate with Regional and Content Centers to implement universal and targeted services for recipients to address high-leverage problems identified in the annual service plan. In providing targeted services (*e.g.*, multi-State and cross-regional peer-to-peer exchanges or communities of practice on problems), the National Center must provide opportunities for recipients to learn from their peers and subject matter experts and apply evidence-based practices and must define tangible, achievable capacity-building outcomes for recipient participation. Universal services must be grounded in evidence-based practices, be produced in a manner that recipients are most likely to use, be shared via multiple digital platforms, such as the CCNetwork website, social media, and other channels as appropriate, and be relevant for a variety of education stakeholders, including the general public.

(3) Develop and implement a strategy to recruit and retain a comprehensive cadre of national subject matter experts that includes qualified education practitioners, researchers, policy professionals, and other consultants with (1) direct experience working in or with SEAs, REAs, TEAs and LEAs and (2) in-depth expertise in specific subject areas with an understanding of State contexts available to support universal and targeted services of the National Center and intensive capacity-building services of Regional Centers. Cadre

experts must have a proven record of designing and implementing effective capacity-building services, using evidence effectively, and delivering quality adult learning experiences or professional development experiences that meet client and recipient needs and must have recognized subject matter expertise including publishing in peer-reviewed journals and presenting at national conferences on the ESEA programs or content areas for which they are engaged as experts to provide universal, targeted, or intensive capacity building.

(4) Reserve not less than one half of the annual budget to provide universal, targeted, and, as needed, intensive services to address topics 1–5 enumerated in the priority for this Center and as approved by the Department in the annual service plan.

(5) Include in the communications and dissemination plan, and implement processes for outreach activities (e.g., regular promotion of services and products to clients and potential and current recipients), use of feedback loops across organizational levels (Federal, State, and local), regular engagement and coordination with the Department, Regional Centers, and partner organizations (e.g., federally funded providers), and engagement of stakeholders involved in or impacted by proposed school improvement activities.

(6) Design and implement communications and dissemination vehicles for the CCNetwork, including maintaining the CCNetwork website with an easy-to-navigate design that meets government or industry recognized standards for accessibility, including compliance with section 504 of the Rehabilitation Act of 1973, and maintain a consistent media presence, in collaboration with Regional and Content Centers and the Department Communications office, that promotes increased engagement.

(7) Develop peer learning opportunities for Regional and Content Center staff (and other partners, as appropriate) to address implementation challenges and scale effective practices to improve service delivery across the CCNetwork.

(8) Collect and share information about services provided through the CCNetwork for the purpose of coordination, collaboration, and communication across Centers and other providers, including an annual analysis of service plans to identify and disseminate information about services rendered across the CCNetwork.

(9) Ensure that the Project Director is capable of managing all aspects of the

Center and is either staffed at 1 FTE or there are two Co-Project Directors each at a minimum of 0.75 FTE. The Project Director or Co-Project Directors and all key personnel must be able to provide services at the intensity, duration, and modality appropriate to achieving agreed-upon milestones, outputs, and outcomes described in annual service plans.

(10) Reserve not less than one third of the budget to address the program requirements for CCNetwork coordination (requirements 5 through 8).

Program Requirements for Regional Centers: In addition to the requirements for all Centers, Regional Center grantees under this program must:

(1) Actively coordinate and collaborate with the REL serving their region. Coordination must include annual joint need sensing in a manner designed to comprehensively inform service delivery across both programs while reducing burden on State agencies. The goals of this coordination and collaboration are to share, synthesize, and apply information, ideas, and lessons learned; to enable each type of provider to focus on its designated role; to ensure that work is non-duplicative; to streamline and simplify service provision to States and LEAs; and to collaborate on projects to better support regional stakeholders.

(2) Consult with a broad range of stakeholders, including chief State school officers and other SEA leaders, TEAs, LEAs, educators, students, and parents, and integrate their feedback in developing the annual service plan to reflect the needs of all States (and to the extent practicable, of LEAs) within the region to be served.

(3) In developing the annual service plan, ensure services are provided to support students and communities with the highest needs, including recipients: (i) that have high percentages or numbers of students from low-income families as referenced in title I, part A of the ESEA (ESEA sec. 1113(a)(5)); (ii) that are implementing comprehensive support and improvement activities or targeted or additional targeted support and improvement activities as referenced in title I, part A of the ESEA (ESEA sec. 1111(d)); (iii) in rural areas; and (iv) serving student populations with demonstrated needs unmet or under-met through other Federal, State, or local interventions.

(4) Explore and provide opportunities to connect peers within and across regions.

(5) Collaborate with the National Center and Content Centers, as appropriate, including to support client

and recipient participation in targeted capacity-building services, and obtain and retain the services of nationally recognized content experts through partnership with the National Center, Content Centers, or other federally funded providers.

(6) Support the participation of Regional Center staff in CCNetwork peer learning opportunities, including sharing information about effective practices in the region, to extend the Center's reach to as many SEAs, REAs, TEAs, LEAs, and schools in need of services as possible while also learning about effective capacity-building approaches to enhance the Center's ability to provide high-quality services.

(7) Within 90 days of receiving funding for an award, provide to the Department copies of partnership agreements with the REL(s) in the region that the Center serves and, as appropriate, other Department-funded technical assistance providers that are charged with supporting comprehensive, systemic changes in States or Department-funded technical assistance providers with particular expertise (e.g., early learning or instruction for English language learners) relevant to the region's service plan. Partnership agreements must define processes for coordination and support collaboration to meet relevant program requirements.

(8) Be located in the region the Center serves. The Project Director must be capable of managing all aspects of the Center and be either at a minimum of 0.75 FTE or there must be two Co-Project Directors each at a minimum of 0.5 FTE. The Project Director or Co-Project Directors and key personnel must also be able to provide on-site services at the intensity, duration, and modality appropriate to achieving agreed-upon milestones, outputs, and outcomes described in annual service plans.

Program Requirements for Content Centers: In addition to the requirements for all Centers, Content Center grantees under this program must:

(1) Consult and integrate feedback from the Department and National and Regional Centers in developing the annual service plan to inform high-quality tools, resources, and overall technical assistance in priority areas.

(2) Collaborate with Regional Centers to address specific requests for assistance from States within the regions and strengthen Regional Center staff knowledge and expertise on the evidence base and effective practices within its specific content area.

(3) Produce high-quality, universal capacity-building services, and identify,

organize, select, and translate existing key research knowledge and Department guidance related to the Center's content area and examples of workable strategies and systems for implementing provisions and programs that have produced positive outcomes for schools and students, and communicate the information in ways that are highly relevant and useful to State- and local-level policymakers, practitioners, and relevant stakeholders.

(4) Collaborate with the National Center and Regional Centers to convene States and LEAs, researchers, and other experts, including other Federal entities and providers of technical assistance as identified by the Department, to learn from each other about practical strategies for implementing ESEA provisions and programs related to the Center's area of focus.

(5) Support the participation of Content Center staff in CCNetwork peer learning opportunities with the goal of providing high-quality services while reaching as many SEAs, REAs, TEAs, LEAs, and schools in need of services as possible.

(6) Within 90 days of receiving funding for an award, provide copies to the Department of partnership agreements with Department-funded technical assistance providers that are charged with supporting comprehensive, systemic changes in States or Department-funded technical assistance providers with particular expertise relevant to the Center's content area. Partnership agreements must define processes for coordination and support collaboration to meet relevant program requirements.

(7) The Project Director must be capable of managing all aspects of the Center and be either at a minimum of 0.75 FTE or there must be two Co-Project Directors each at a minimum of 0.5 FTE. The Project Director or Co-Project Directors and all key personnel must be able to provide services at the intensity, duration, and modality appropriate to achieving agreed-upon milestones, outputs, and outcomes described in annual service plans.

Application Requirements:

Applicants must meet the following application requirements.

Application Requirements for All Centers:

(1) Present an approach to the proposed project for operating the Comprehensive Center that clearly establishes the critical educational challenges proposed to be addressed by the Center, the impact the Center plans to achieve, including the proposed scope of services in relation to the number of SEAs, REAs, TEAs, LEAs,

and, as appropriate, schools served, with respect to specific State and local outcomes that would represent significant achievement in advancing the efforts of State and local systems to improve educational opportunities and student outcomes, and proposes how the Center will efficiently and effectively provide appropriate capacity-building services to achieve the desired outcomes.

(2) Present applicable regional, State, and local educational needs, including relevant data demonstrating the identified needs, and including the perspectives of underrepresented groups, that could be addressed through the proposed capacity-building approach to implement and scale up evidence-based programs, practices, and interventions.

(3) Demonstrate how key personnel possess subject matter expert knowledge of statutory requirements, regulations, and policies related to ESEA programs, current education issues, and policy initiatives for supporting the implementation and scaling up of evidence-based programs, practices, and interventions.

(4) Demonstrate expertise in providing highly relevant and highly effective technical assistance (*e.g.*, that is co-designed with clients; demonstrably addresses authentic needs based on needs-sensing activities; is timely, relevant, useful, clear and measurable; and results in demonstrable improvements or outcomes), including by demonstrating expertise in the current research on adult learning principles, coaching, and implementation science that will drive the applicant's capacity-building services; how the applicant has successfully supported clients to achieve desired outcomes; and how the applicant will promote self-sufficiency and sustainability of State- and local-led school improvement activities.

(5) Present a logic model (as defined in this notice) informed by research or evaluation findings that demonstrates a rationale (as defined in 34 CFR 77.1) explaining how the project is likely to improve or achieve relevant and expected outcomes. The logic model must communicate how the proposed project would achieve its expected outcomes (short-term, mid-term, and long-term), and provide a framework for both the formative and summative evaluations of the project consistent with the applicant's performance management plan. Include a description of underlying concepts, assumptions, expectations, beliefs, and theories, as well as the relationships and linkages

among these variables, and any empirical support for this framework.

(6) Present a management plan that describes the applicant's proposed approach to managing the project to meet all program requirements related to needs assessment, stakeholder engagement, communications and dissemination, personnel management, and partnerships.

(7) Present a performance management and evaluation plan that describes the applicant's proposed approach to meeting the program requirements related to performance management, including the applicant's proposed strategy to report on defined program performance measures, and describes the criteria for determining the extent to which capacity-building services proposed in annual service plans were implemented as intended; recipient outcomes were met (short-term, midterm, and long-term); recipient capacity was developed; and services reached and were used by intended recipients.

(8) Include in the budget a line item for an annual set-aside of five percent of the grant amount to support emerging needs that are consistent with the proposed project's intended outcomes, as those needs are identified in consultation with, and approved by, the OESE program officer. With approval from the program officer, the project must reallocate any remaining funds from this annual set-aside no later than the end of the third quarter of each budget period.

Application Requirements for the National Center: In addition to meeting the application requirements for all Centers, a National Center applicant must:

(1) Describe the proposed approach to leading coordination and collaboration of the CCNetwork, and demonstrate expertise and experience in leading communication and digital engagement strategies to attract and sustain the involvement of education stakeholders, including, but not limited to: implementing a robust web and social media presence, overseeing customer relations management, providing editorial support to Regional and Content Centers, and utilizing web analytics to improve content engagement.

(2) Describe the proposed approach to providing targeted capacity-building services, including how the applicant intends to collaborate with Regional Centers to identify potential recipients and estimate how many SEAs, REAs, TEAs, and LEAs it has the capacity to reach; how it will measure the readiness and capacity of potential recipients; and

how it will measure the extent to which targeted capacity-building services achieve intended recipient outcomes and result in increased recipient capacity (and specifically, increase capacity in one or more of the four dimensions of capacity-building).

(3) Describe the proposed approach to universal capacity-building services, including how many and which recipients it plans to reach and how the applicant intends to: measure the extent to which products and services developed address common problems; support recipients in the selection, implementation, and monitoring of evidence-based practices; improve the use of evidence with regard to emerging national education trends; and build recipient capacity in at least one of the four dimensions of capacity-building.

Application Requirements for Regional Centers: In addition to meeting the application requirements for all Centers, a Regional Center applicant must—

(1) Describe the proposed approach to intensive capacity-building services, including identification of intended recipients based on available data in each of the content areas identified, alignment of proposed capacity-building services to client needs, and engagement of clients who may not initiate contact to request services. The applicant must also describe how it intends to measure the readiness of clients and recipients to work with the Center; co-design projects and define outcomes; measure and monitor client and recipient capacity across the four dimensions of capacity-building; and measure the outcomes achieved throughout and at the conclusion of a project.

(2) Demonstrate that proposed key personnel have the appropriate subject matter and technical assistance expertise to deliver high-quality, intensive services that meet client and recipient needs similar to those in the region to be served.

Application Requirements for Content Centers: In addition to meeting the application requirements for all Centers, a Content Center applicant must—

(1) Describe the proposed approach to carry out targeted capacity-building services that increase the use of evidence-based products or tools regarding the designated content area amongst practitioners, education system leaders, elementary schools and secondary schools, LEAs, REAs and TEAs, and SEAs.

(2) Describe the proposed approach to providing universal capacity-building services, including how it will develop evidence-based products or tools regarding the designated content area;

widely disseminate such products or tools to practitioners, education system leaders, and policymakers in formats that are high quality, easily accessible, understandable, and actionable; identify intended recipients; and align proposed capacity-building services to client needs.

(3) Demonstrate that key personnel have appropriate subject matter and technical assistance expertise to translate evidence into high-quality technical assistance services and products for State and local clients, including expertise applying adult-learning principles and implementation science to the delivery of technical assistance services and products.

Definitions: The definitions of “capacity-building services,” “client,” “collaboration,” “coordination,” “educator,” “English learner,” “four dimensions of capacity-building services,” “high-leverage problem,” “immigrant children and youth,” “intensive capacity-building services,” “key personnel,” “migratory child,” “outcomes,” “recipient,” “regional educational agency,” “targeted capacity-building services,” “three tiers of capacity-building services,” “tribal educational agency,” and “universal capacity-building services” are from the NFP.

The definitions of “milestone,” and “outputs” are from the Notice of Final Priorities, Requirements, Definitions, and Performance Measures—Comprehensive Centers Program published in the **Federal Register** on April 4, 2019 (84 FR 13122) (2019 NFP).

The definitions of “logic model” and “demonstrates a rationale” are from 34 CFR 77.1.

Capacity-building services means assistance that strengthens an individual’s or organization’s ability to engage in continuous improvement and achieve expected outcomes.

Client means the organization with which the Center enters into agreement for negotiated capacity-building services. The client is engaged in defining the high-leverage problems, capacity-building services, and time-based outcomes for each project noted in the Center’s annual service plan. Representatives of clients include but are not limited to Chief State School Officers or their designees, LEA leaders, and other system leaders.

Collaboration means exchanging information, altering activities, and sharing in the creation of ideas and resources to enhance the capacity of one another for mutual benefit to accomplish a common goal.

Coordination means exchanging information, altering activities, and

synchronizing efforts to make unique contributions to shared goals.

Demonstrates a rationale means a key project component included in the project’s logic model is informed by research or evaluation findings that suggest the project component is likely to improve relevant outcomes.

Educator means an individual who is a teacher (including an early education teacher), principal or other school leader, administrator, specialized instructional support personnel (e.g., school psychologist, counselor, school social worker, librarian, early intervention service personnel), paraprofessional, faculty, and others.

English learner means an individual who is an English learner as defined in section 8101(20) of the ESEA, or an individual who is an English language learner as defined in section 203(7) of the Workforce Innovation and Opportunity Act.

Four dimensions of capacity-building services are:

(1) **Human capacity** means development or improvement of individual knowledge, skills, technical expertise, and ability to adapt and be resilient to policy and leadership changes.

(2) **Organizational capacity** means structures that support clear communication and a shared understanding of an organization’s visions and goals, and delineated individual roles and responsibilities in functional areas.

(3) **Policy capacity** means structures that support alignment, differentiation, or enactment of local, State, and Federal policies and initiatives.

(4) **Resource capacity** means tangible materials and assets that support alignment and use of Federal, State, private, and local funds.

High-leverage problems means problems that (1) if addressed could result in substantial improvements for groups of students with the greatest need, including for students from low-income families and for students attending schools implementing comprehensive support and improvement or targeted or additional targeted support and improvement activities under ESEA section 1111(d)); (2) are priorities for education policymakers, particularly at the State level; and (3) require intensive capacity-building services to achieve outcomes that address the problem.

Immigrant children and youth have the meaning ascribed in section 3201(5) of the ESEA.

Intensive capacity-building services means assistance often provided on-site and requiring a stable, ongoing

relationship between the Comprehensive Center and its clients and recipients, as well as periodic reflection, continuous feedback, and use of evidence-based improvement strategies. This category of capacity-building services should support increased recipient capacity in more than one dimension of capacity-building services and result in medium-term and long-term outcomes at one or more system levels.

Key personnel means any personnel considered to be essential to the work being performed on the project.

Logic model (also referred to as a theory of action) means a framework that identifies key project components of the proposed project (*i.e.*, the active “ingredients” that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes.

Migratory child has the meaning ascribed it in section 1309(3) of the ESEA.

Milestone means an activity that must be completed. Examples include: Identifying key district administrators responsible for professional development, sharing key observations from needs assessment with district administrators and identified stakeholders, preparing a logic model, planning for State-wide professional development, identifying subject matter experts, and conducting train-the-trainer sessions.

Outcomes means demonstrable effects of receiving capacity-building services and must reflect the result of capacity built in at least one of the four dimensions of capacity building. “Outcomes” includes short-term outcomes, medium-term outcomes, and long-term outcomes:

(1) *Short-term outcomes* means effects of receiving capacity-building services after 1 year.

(2) *Medium-term outcomes* means effects of receiving capacity-building services after 2 to 3 years.

(3) *Long-term outcomes* means effects of receiving capacity-building services after 4 or more years.

Outputs means products and services that must be completed. Examples include: Needs assessment, logic model, training modules, evaluation plan, and 12 workshop presentations.

Note: A product output under this program would be considered a deliverable under the open licensing regulations at 2 CFR 3474.20.

Recipient means organizations including, but not limited to, SEAs, LEAs, REAs, TEAs, and schools that

have received “intensive” and “targeted” capacity-building services and products from Regional Centers, or that received “targeted” or “universal” capacity-building services and products from the National Center or Content Centers.

Regional educational agency means educational agencies that serve regional areas within a State.

Targeted capacity-building services means assistance based on needs common to multiple clients and recipients and not extensively individualized. A relationship is established between the recipient(s), the National Center or Content Center, and Regional Center(s), as appropriate. This category of capacity-building services includes one-time, labor-intensive events, such as facilitating strategic planning or hosting national or regional conferences. It can also include services that extend over a period of time, such as facilitating a series of conference calls, virtual or in-person meetings, or learning communities on single or multiple topics that are designed around the needs of the recipients. Facilitating communities of practice can also be considered targeted capacity-building services.

Tribal educational agency has the meaning ascribed in section 6132(b)(3) of the ESEA.

Universal capacity-building services means assistance and information provided to independent users through their own initiative, involving minimal interaction with National or Content Center staff. This category of capacity-building services includes information or products, such as newsletters, guidebooks, policy briefs, or research syntheses, downloaded from the Center’s website by independent users, and may include one-time, invited or offered webinar or conference presentations by National or Content Center staff. Brief communications or consultations by National or Content Center staff with recipients, either by telephone or email, are also considered universal services.

Program Authority: Section 203 of the Educational Technical Assistance Act of 2002 (ETAA) (20 U.S.C. 9601 *et seq.*).

Note: Projects will be awarded and must be operated in a manner consistent with the nondiscrimination requirements contained in Federal civil rights laws.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and

Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The NFP. (e) The 2019 NFP. (f) The Administrative Priorities.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Cooperative agreement.

Note: The details of the Department’s involvement will be included in the Cooperative Agreement with each grantee.

Estimated Available Funds: \$46,153,544.

The total amount of funds available for the Comprehensive Center program for FY 2024 is \$50 million, of which we intend to use an estimated \$46,153,544 for this competition. Of that, an estimated \$6 million will be used to fund the National Center, an estimated \$35,153,544 will be used to fund Regional Centers, and an estimated \$5 million will be used to fund Content Centers. FY 2024 funds will support awards for the first budget period of the project, which is the first 12 months of the project period. Funding for the subsequent budget periods of years two through five (FY 2025 through FY 2028) is contingent on appropriation levels. Estimates of funding levels for FY 2024 and subsequent budget periods are provided below, as well as the estimated range of awards.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in subsequent years from the list of unfunded applications from this competition.

Estimated Range of Awards:

For the National Center: \$6,000,000 to \$6,500,000.

National Center: \$6,000,000

For Regional Centers: \$1,000,000 to \$5,500,000.

The following are the estimated annual award amounts by region. Applicants should propose project budgets that do not exceed the estimated amounts for each Center. Annual funding estimates are based on a funding formula that considers factors aligned to regional needs as outlined in section 203 of the ETAA. Regional Center awards will be allocated in FY 2024 and subsequent years based on the

established formula and may take into consideration changes in regional needs and the availability of funds.

Region 1 (Northeast): \$2,380,489
 Region 2 (Islands): \$1,250,000
 Region 3 (Mid-Atlantic): \$1,931,528
 Region 4 (Appalachia): \$1,804,312
 Region 5 (Southeast): \$2,262,959
 Region 6 (Gulf): \$2,450,688
 Region 7 (Midwest): \$4,608,921
 Region 8 (Central): \$2,379,571
 Region 9 (Southwest): \$5,039,769
 Region 10 (West): \$4,487,656
 Region 11 (Northwest): \$3,057,651
 Region 12 (Pacific 1): \$1,250,000
 Region 13 (Pacific 2): \$1,250,000
 Region 14 (Bureau of Indian Education): \$1,000,000

For Content Centers: \$1,150,000 to \$1,550,000.

Center on English Learners and Multilingualism: \$1,150,000

Center for Early School Success: \$1,150,000

Center on Fiscal Equity: \$1,150,000
 Center on Strengthening and Supporting the Educator Workforce: \$1,550,000

Estimated Number of Awards: 19. The Secretary intends to make 14 awards to support Regional Centers to serve States within defined geographic boundaries; 1 award to support the National Center; and 4 awards to support Content Centers.

Note: The Department is not bound by any estimates in this notice.

Note: An additional Content Center, funded in response to 2016 appropriations language and a new authority in the ESEA, focuses on students at risk of not attaining full literacy skills due to a disability. That Center is not being awarded as part of this competition.

Project Period: Up to 60 months.

III. Eligibility Information

1. *Eligible Applicants:* Research organizations, institutions, agencies, IHEs, or partnerships among such entities, or individuals, with the demonstrated ability or capacity to carry out the activities described in this notice, including regional entities that carried out activities under the Educational Research, Development, Dissemination, and Improvement Act of 1994 (as such Act existed on the day before November 5, 2002) and title XIII of the Elementary and Secondary Education Act of 1965 (as such title existed on the day before January 8, 2002). A group of eligible entities may apply as a consortium, in accordance with the requirements in 34 CFR 75.127–129.

2. a. *Cost Sharing or Matching:* This competition does not require cost sharing or matching.

b. *Indirect Cost Rate Information:* This program uses an unrestricted indirect cost rate. For more information regarding indirect costs, or to obtain a negotiated indirect cost rate, please see www2.ed.gov/about/offices/list/ocfo/intro.html.

c. *Administrative Cost Limitation:* This program does not include any program-specific limitation on administrative expenses. All administrative expenses must be reasonable and necessary and conform to Cost Principles described in 2 CFR part 200 subpart E of the Uniform Guidance.

3. *Subgrantees:* Under 34 CFR 75.708(b) and (c) a grantee under this competition may award subgrants—to directly carry out project activities described in its application—to the following types of entities: Research organizations, institutions, agencies, IHEs, or partnerships among such entities, or individuals, with the demonstrated ability or capacity to carry out the activities described in this notice. The grantee may award subgrants to entities it has identified in an approved application.

4. *Limitation on Applications:* An application must clearly respond to either Priority 1—National Center, Priority 2—Regional Centers, or Priority 3—Content Centers. If an applicant wishes to apply to operate more than one Center, the applicant must submit a separate application for each Center it wishes to serve. The Department intends to create 19 separate funding slates, one for the National Center, one for each Regional Center, and one for each Content Center. The Department anticipates funding a single award on each funding slate.

IV. Application and Submission Information

1. *Application Submission Instructions:* Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on December 7, 2022 (87 FR 75045) and available at www.federalregister.gov/documents/2022/12/07/2022-26554/common-instructions-for-applicants-to-department-of-education-discretionary-grant-programs, which contain requirements and information on how to submit an application.

2. *Submission of Proprietary Information:* Given the types of projects that may be proposed in applications for the Comprehensive Center Program FY 2024 competition, your application may include business information that you consider proprietary. In 34 CFR 5.11 we

define “business information” and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended). Because we plan to make successful applications available to the public, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under “Other Attachments Form,” please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. *Intergovernmental Review:* This program competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

4. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

5. *Recommended Page Limit:* The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 100 pages and (2) use the following standards:

- A “page” is 8.5” x 11”, on one side only, with 1” margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, the recommended page limit does apply to all of the application narrative.

6. *Notice of Intent to Apply:* The Department will be able to review grant applications more efficiently if we know the approximate number of applicants that intend to apply. Therefore, we strongly encourage each potential applicant to notify us of their intent to submit an application. To do so, please email the program contact person listed under **FOR FURTHER INFORMATION CONTACT** with the subject line “Intent to Apply,” and include the applicant’s name and a contact person’s name and email address. Applicants that do not submit a notice of intent to apply may still apply for funding; applicants that do submit a notice of intent to apply are not bound to apply or bound by the information provided.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are from the NFP.

The maximum possible score for addressing all selection criteria is 100 points for Regional and Content Centers, and 125 points for the National Center. The maximum score for each criterion is included in parentheses following the title of the specific selection criterion. Each criterion also includes the factors that reviewers will consider in determining the extent to which an applicant meets the criterion.

Priority 1—National Center Selection Criteria:

(a) *Approach to Capacity Building (Up to 35 points).* In determining the overall quality of the approach to capacity building of the proposed project, the Secretary considers the following factors.

(1) The extent to which the applicant demonstrates an exceptional approach to developing and delivering high-quality, useful, and relevant capacity-building services that are likely to achieve desired recipient outcomes, including targeted and universal capacity-building services that would be expected to assist SEAs, REAs, TEAs, LEAs, and Regional Center clients and recipients, including those who do not proactively request assistance, to address the activities described in the priority. (20 points)

(2) The extent to which the proposed approach to capacity building provides strategies that address the technical assistance needs of State and local educational systems in key areas of identified need, as evidenced by in-depth knowledge and understanding of implementation challenges faced by States; evidence-based practices related to teaching, learning, and development; needs of schools designated for improvement; needs to improve core

instruction; and emerging education topics of national importance. (15 points)

(b) *Quality of Project Design (Up to 50 points).* In determining the quality of the project design of the proposed center for which the applicant is applying, the Secretary considers the following factors.

(1) The extent to which the proposed performance management and evaluation system and processes demonstrate an exceptional approach to integrating continuous improvement processes and evaluation that will result in regular and ongoing improvement in the quality of the services provided and increase the likelihood that recipient outcomes are achieved. (10 points)

(2) The extent to which the proposed stakeholder engagement system is likely to result in a high level of engagement with multiple potential beneficiaries or participants involved in or impacted by the proposed capacity-building activities to ensure that the proposed services reflect their needs, are relevant and useful, and reach the largest number of recipients possible. (10 points)

(3) The extent to which the proposed personnel management system includes effective processes to enable hiring, developing, supervising, and retaining a team of subject matter and technical assistance experts, consultants, and professional staff, and ensure availability of appropriate expertise and staffing at a level sufficient to effectively execute the responsibilities of key personnel to achieve the goals of the project. (10 points)

(4) The extent to which the proposed partnerships represent an intentional approach to collaboration that is likely to reduce client burden and to ensure that Federal resources are being used most efficiently and effectively to meet a variety of needs across federally funded providers. (5 points)

(5) The extent to which the proposed project represents an exceptional management approach to coordination, collaboration, and communication of the complex work of the CCNetwork. (15 points)

(c) *Subject Matter and Technical Assistance Expertise (Up to 40 points).* In determining the subject matter and technical assistance expertise of key project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have historically been underrepresented based on race, color, national origin, gender, age, or disability. (5 points)

In addition, the Secretary considers the following factors.

(1) The extent to which key project personnel demonstrate the required subject matter expertise and relevant knowledge, understanding, and experience in operating and administering State and local educational systems to effectively support recipients. (10 points)

(2) The extent to which the applicant has demonstrated exceptional technical assistance expertise in providing high-quality, timely, relevant, and useful technical assistance and capacity-building services to State and local educational systems. (10 points)

(3) The extent to which the applicant has demonstrated the ability to develop new and ongoing partnerships with leading experts and organizations nationwide or regionally, as appropriate, that enhance its ability to provide high-quality technical assistance and subject-matter expertise. (10 points)

(4) The extent to which the applicant has demonstrated ability in operating a project of such scope. (5 points)

Priority 2—Regional Centers Selection Criteria:

(a) *Approach to Capacity Building (Up to 35 points).* In determining the overall quality of the approach to capacity building of the proposed project, the Secretary considers the following factors.

(1) The extent to which the applicant demonstrates an exceptional approach to developing and delivering high-quality, useful, and relevant capacity-building services that are likely to achieve desired recipient outcomes, including intensive capacity services that would be expected to assist clients and recipients to address the activities described in the priority. (20 points)

(2) The extent to which the proposed approach to capacity building provides strategies that address the technical assistance needs of State and local educational systems in key areas of identified need, as evidenced by in-depth knowledge and understanding of the specific educational goals and priorities of the States to be served by the applicant, including emerging priorities based on State-led reform efforts, and the applicable State and regional demographics, policy contexts, and other factors and their relevance to improving educational opportunities and outcomes, closing achievement gaps, and improving instruction. (15 points)

(b) *Quality of Project Design (Up to 35 points).* In determining the quality of the project design of the proposed Center for which the applicant is applying, the

Secretary considers the following factors.

(1) The extent to which the proposed performance management and evaluation system and processes demonstrate an exceptional approach to integrating continuous improvement processes and evaluation that will result in regular and ongoing improvement in the quality of the services provided and increase the likelihood that recipient outcomes are achieved. (10 points)

(2) The extent to which the proposed stakeholder engagement system is likely to result in a high level of engagement with multiple potential beneficiaries or participants involved in or impacted by the proposed capacity-building activities to ensure that the proposed services reflect their needs, are delivered in a manner that is relevant and useful, and reach the largest number of recipients possible. (10 points)

(3) The extent to which the proposed personnel management system includes effective processes to enable hiring, developing, supervising, and retaining a team of subject matter and technical assistance experts, consultants and professional staff, and ensure availability of appropriate expertise and staffing at a level sufficient to effectively execute the responsibilities of key personnel to achieve the goals of the project. (10 points)

(4) The extent to which the proposed partnerships represent an intentional approach to collaboration that is likely to reduce client burden and to ensure that Federal resources are being used most efficiently and effectively to meet a variety of needs across federally funded providers. (5 points)

(c) *Subject Matter and Technical Assistance Expertise (Up to 30 points).* In determining the subject matter and technical assistance expertise of key project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have historically been underrepresented based on race, color, national origin, gender, age, or disability. (5 points)

In addition, the Secretary considers the following factors.

(1) The extent to which key project personnel demonstrate the required subject matter expertise and relevant knowledge, understanding, and experience in operating and administering State and local educational systems to effectively support recipients. (10 points)

(2) The extent to which the applicant has demonstrated exceptional technical assistance expertise in providing high-

quality, timely, relevant, and useful technical assistance and capacity-building services to State and local educational systems. (10 points)

(3) The extent to which the applicant has demonstrated the ability to develop new and ongoing partnerships with leading experts and organizations nationwide or regionally, as appropriate, that enhance its ability to provide high-quality technical assistance and subject-matter expertise. (5 points)

Priority 3—Selection Criteria for Content Centers.

(a) *Approach to Capacity Building (Up to 35 points).* In determining the overall quality of the approach to capacity building of the proposed project, the Secretary considers the following factors.

(1) The extent to which the applicant demonstrates an exceptional approach to developing and delivering high-quality, useful, and relevant capacity-building services that are likely to achieve desired recipient outcomes, including targeted and universal capacity-building services that would be expected to assist clients and recipients, including those who do not proactively request assistance, to address activities described in the priority related to the designated content area. (20 points)

(2) The extent to which the proposed approach to capacity building provides strategies that address the technical assistance needs of State and local educational systems in key areas of identified need, as evidenced by in-depth knowledge and understanding of State technical assistance needs and evidence-based practices related to the Content Center priority for which the applicant is applying. (15 points)

(b) *Quality of Project Design (Up to 35 points).* In determining the quality of the project design of the proposed Center for which the applicant is applying, the Secretary considers the following factors.

(1) The extent to which the proposed performance management and evaluation system and processes demonstrate an exceptional approach to integrating continuous improvement processes and evaluation that will result in regular and ongoing improvement in the quality of the services provided and increase the likelihood that recipient outcomes are achieved. (10 points)

(2) The extent to which the proposed stakeholder engagement system is likely to result in a high level of engagement with multiple potential beneficiaries or participants involved in or impacted by the proposed capacity-building activities to ensure that the proposed services reflect their needs, are

delivered in a manner that is relevant and useful, and reach the largest number of recipients possible. (10 points)

(3) The extent to which the proposed personnel management system includes effective processes to enable hiring, developing, supervising, and retaining a team of subject matter and technical assistance experts, consultants and professional staff, and ensure availability of appropriate expertise and staffing at a level sufficient to effectively execute the responsibilities of key personnel to achieve the goals of the project. (10 points)

(4) The extent to which the proposed partnerships represent an intentional approach to collaboration that is likely to reduce client burden and to ensure that Federal resources are being used most efficiently and effectively to meet a variety of needs across federally funded providers. (5 points)

(c) *Subject Matter and Technical Assistance Expertise (Up to 30 points).* In determining the subject matter and technical assistance expertise of key project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have historically been underrepresented based on race, color, national origin, gender, age, or disability. (5 points)

In addition, the Secretary considers the following factors.

(1) The extent to which key project personnel demonstrate the required subject matter expertise and relevant knowledge, understanding, and experience in operating and administering State and local educational systems to effectively support recipients. (10 points)

(2) The extent to which the applicant has demonstrated exceptional technical assistance expertise in providing high-quality, timely, relevant, and useful technical assistance and capacity-building services to State and local educational systems. (10 points)

(3) The extent to which the applicant has demonstrated the ability to develop new and ongoing partnerships with leading experts and organizations nationwide or regionally, as appropriate, that enhance its ability to provide high-quality technical assistance and subject-matter expertise. (5 points)

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous

award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

Additional factors we consider in selecting an application for an award are as follows:

Geographic distribution: Under the ETAA (20 U.S.C. 9602 (a)(2)(A)), the Secretary must ensure that not less than one Comprehensive Center is established in each of the 10 geographic regions served by the Regional Educational Laboratories. The Secretary will consider the location of the proposed Regional Centers in the selection and negotiation of cooperative agreements to ensure that this requirement is met.

Tiebreaker: If two or more applicants for any one Center receive the same total scores, the Secretary will select among the tied applications, as appropriate, according to the following factors:

1. An application that scores higher on a selection criterion following this order will be ranked higher than an application with the same overall score: Quality of Project Design; Subject Matter and Technical Assistance Expertise; and the Approach to Capacity Building.

2. If still tied after implementing the first tiebreaker, the applicant that is a new potential grantee (as measured by the Competitive Preference Priority) will be ranked higher than an application with the same overall score.

3. If still tied after implementing the second tiebreaker, the applicant that has gone the longest without receiving a Comprehensive Centers grant will be ranked higher than an applicant with the same overall score.

4. If still tied after implementing the third tiebreaker, an applicant that has not received the highest overall score in this competition for any other Center will be ranked higher than an applicant that has received the highest overall score in this competition for any other Center.

3. Risk Assessment and Specific Conditions: Consistent with 2 CFR 200.206, before awarding grants under this program the Department conducts a review of the risks posed by applicants. Under 2 CFR 200.208, the Secretary may

impose specific conditions and, under 2 CFR 3474.10, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. Integrity and Performance System: If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$250,000), under 2 CFR 200.206(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

5. In General: In accordance with the Office of Management and Budget's guidance, 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Department will review and consider applications for funding pursuant to this notice inviting applications in accordance with:

- (a) Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR 200.205);

- (b) Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. 115—232) (2 CFR 200.216);

- (c) Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials

produced in the United States (2 CFR 200.322); and

- (d) Terminating agreements in whole or in part to the greatest extent authorized by law if an award no longer effectuates the program goals or agency priorities (2 CFR 200.340).

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements: We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Open Licensing Requirements: Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee or subgrantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. Reporting: (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

Note: Consistent with 2 CFR 200.315(h) and other applicable law, the Department may make reports, deliverables, outputs, or materials produced by Comprehensive Centers publicly available. This may include requesting that the Comprehensive Centers disseminate reports, deliverables, outputs, or materials to a wide audience (e.g., through their websites, social media, or other public-facing channels).

5. *Performance Measures:* For the purposes of reporting under 34 CFR 75.110, the following measures established in the 2019 NFP will be used by the Department to evaluate the effectiveness of each Center, as well as the Comprehensive Centers Program as a whole:

Measure 1: The extent to which Comprehensive Center clients are satisfied with the quality, usefulness, and relevance of services provided.

Measure 2: The extent to which Comprehensive Centers provide services and products to a wide range of recipients.

Measure 3: The extent to which Comprehensive Centers demonstrate that capacity-building services were implemented as intended.

Measure 4: The extent to which Comprehensive Centers demonstrate recipient outcomes were met.

6. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things, whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, whether the grantee has made substantial progress in achieving the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with

the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Other Information

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document and a copy of the application package in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site, you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Adam Schott,

*Principal Deputy Assistant Secretary,
Delegated the Authority to Perform the
Functions and Duties of the Assistant
Secretary, Office of Elementary and
Secondary Education.*

[FR Doc. 2024-09876 Filed 5-10-24; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2024-SCC-0034]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Follow-Up Surveys to the 2023-24 NTPS: 2024-25 Teacher Follow-Up Survey (TFS) and 2024-25 Principal Follow-Up

AGENCY: National Center for Education Statistics (NCES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before June 12, 2024.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link www.reginfo.gov/public/do/PRAMain to access the site. Find this information collection request (ICR) by selecting "Department of Education" under "Currently Under Review," then check the "Only Show ICR for Public Comment" checkbox. Reginfo.gov provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the "View Information Collection (IC) List" link. Supporting statements and other supporting documentation may be found by clicking on the "View Supporting Statement and Other Documents" link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carrie Clarady, (202) 245-6347.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Follow-Up Surveys to the 2023-24 NTPS: 2024-25 Teacher Follow-Up Survey (TFS) and 2024-25 Principal Follow-Up.

OMB Control Number: 1850-0617.

Type of Review: Revision of a currently approved ICR.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 25,427.

Total Estimated Number of Annual Burden Hours: 3,868.

Abstract: This request is to conduct data collection for the two follow-up



UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

Directive on Department Grant Priorities

Agency: U.S. Department of Education

Office of Planning, Evaluation and Policy Development (OPEPD)

Action: Directive

FOR FURTHER INFORMATION CONTACT:

U.S. Department of Education

Office of Planning, Evaluation and Policy Development

EFFECTIVE DATE: February 5, 2025.

Eliminating Discrimination and Fraud in Department Grant Awards

From the Supreme Court’s 1954 landmark opinion in *Brown v. Board of Education* to its 2023 decision in *Students for Fair Admissions, Inc. v. Fellows of Harvard College*, education has played a central role in this Nation’s fight against discrimination. It remains a priority of the Department of Education to eliminate discrimination in all forms of education throughout the United States. This includes ensuring that the Department’s grants do not support programs or organizations that promote or take part in diversity, equity, and inclusion (“DEI”) initiatives or any other initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic. Illegal DEI policies and practices can violate both the letter and purpose of Federal civil rights law and conflict with the Department’s policy of prioritizing merit, fairness, and excellence in education. In addition to complying with the civil rights laws, it is vital that the Department assess whether all grant payments are free from fraud, abuse, and duplication, as well as to assess whether current grants are in the best interests of the United States.

For these reasons, pursuant to, among other authorities, 20 U.S.C. § 3411 and 2 C.F.R. § 200.339–341, the Secretary of Education hereby directs as follows:

Department personnel shall conduct an internal review of all new grant awards, grants that have not yet been awarded to specific individuals or entities (e.g., notices of funding opportunities), and issued grants. Such review shall be limited to ensuring that Department grants do not fund discriminatory practices—including in the form of DEI—that are either contrary to law or to the Department’s policy objectives, as well as to ensure that all grants are free from fraud, abuse, and duplication.

This Directive shall be implemented by all ED personnel, including but not limited to those in the Office of Planning, Evaluation and Policy Development’s Grants Policy Office, Office of Finance and Operations’ Office of Grants Management, Office of Elementary and Secondary Education, Office of Postsecondary Education, Office of Special Education and Rehabilitative Services,

Office of Career, Technical and Adult Education, Office of English Language Acquisition, Institute for Education Sciences, and the Office of Discretionary Grants and Support Services, who shall, in doing so, comply with all notice and procedural requirements in each affected award, agreement, or other instrument. Grants deemed inconsistent with these priorities shall, where permitted by applicable law, be terminated in compliance with all notice and procedural requirements in the relevant award, agreement, or other instrument. *See* 2 C.F.R. § 200.340(a)(4)–341.

Notwithstanding this Directive, any disbursements on open grant awards paused due to Office of Management and Budget Memorandum M-25-13 or any Executive Order underlying that Memorandum shall be immediately released.

Authority: 20 U.S.C. § 3411; 2 C.F.R. § 200.339–341.

Dated: February 5, 2025.

A handwritten signature in black ink, reading "Denise L. Carter", is written over a horizontal line.

Denise L. Carter,
Acting Secretary of Education

U.S. Department of Education

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U.S. Department of Education Cancels Additional \$350 Million in Woke Spending

Contracts and grants terminated at several Regional Educational Laboratories and Equity Assistance Centers

FEBRUARY 13, 2025

Today, the U.S. Department of Education cancelled over \$350 million in contracts and grants to several Regional Educational Laboratories and Equity Assistance Centers.

The Department terminated 10 contracts totaling \$336 million with the Regional Educational Laboratories, the purpose of which are supposed to support applied research, development, and technical assistance activities; however, review of the contracts uncovered wasteful and ideologically driven spending not in the interest of students and taxpayers. For example, the Regional Educational Laboratory Midwest has been advising schools in Ohio to undertake “equity audits” and equity conversations. The Department plans to enter into new contracts that will satisfy the statutory requirements, improve student learning, and better serve school districts, State Departments of Education, and other education stakeholders.

The Department also terminated grants to four Equity Assistance Centers totaling \$33 million, which supported divisive training in DEI, Critical Race Theory, and gender identity for state and local education agencies as well as school boards.

CONTACT

Press Office | (202) 401-1576 | press@ed.gov

Office of Communications and Outreach (OCO)

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PRESS RELEASE

U.S. Department of Education Cancels Divisive and Wasteful Grants under the Comprehensive Centers Program

FEBRUARY 19, 2025

Today, the U.S. Department of Education cancelled 18 grants totaling \$226 million that were awarded under the Comprehensive Centers Program. These grants went to a network of regional and national centers funded to provide scalable "capacity-building" services to states and systems within their regions, including reports and convenings to improve instructional materials and educational outcomes. Instead, Comprehensive Centers have been forcing radical agendas onto states and systems, including race-based discrimination and gender identity ideology.

Examples uncovered include:

- A [video](#) instructing teachers to "flick that white man off your shoulder" in order to resist the "settler patriarchy" and the "white gaze";
- A [research paper](#) claiming that there are too many "white students" in STEM;
- A [recorded lecture](#) about how America's schools are a system of "settler-colonial realities" and "white supremacy"; and
- A [joint video call](#) instructing teachers to "move away from the [sex] binary" and to "use non-heteronormative language."

CONTACT

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← Post

Christopher F. Rufo 
@realchrisrufo



The Department of Education's Comprehensive Center instructs teachers to "flick that white man off your shoulder" in order to resist the "settler patriarchy" and the "white gaze."

This is taxpayer-funded witchcraft. It must be defunded.



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Christopher F. Rufo 
@realchrisrufo



The Department of Education has granted more than \$200 million to 21 "comprehensive centers" that push left-wing ideologies in local districts. They believe America's schools are systems of "institutionalized privilege" and that there are too many "White students" in STEM.



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@realchrisrufo



The Department of Education's Comprehensive Center claims that America's schools are a system of "settler-colonial realities" and "white supremacy," which must be destroyed in order to liberate BIPOCs from "oppression."

This is left-wing Mad Libs, funded by taxpayers.



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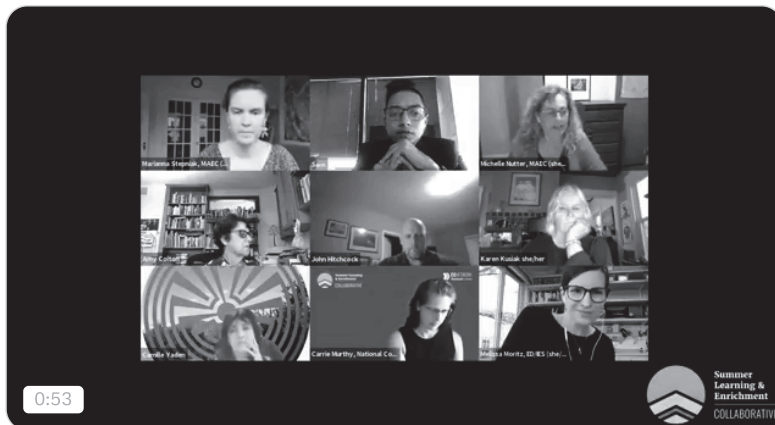
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Christopher F. Rufo 
@realchrisrufo



The Department of Education granted \$25 million to the National Comprehensive Center, which promotes the idea that male and female are false categories. They instruct teachers to "move away from the [sex] binary" and to "use non-heteronormative language."

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